

# KHALISTAN

## *The Only Solution*



*By*

# LIEUTENANT COLONEL PARTAP SINGH

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# PREFACE

Until the Indian government's all out military offensive against the **Golden Temple** (Harmander Sahib) and thirty-eight other historic Gurdwaras situated all over the Punjab under the codename “Bluestar”, there was but limited and sporadic demand for Khalistan. Even the charismatic Sant Jarnail Singh Bhindranwale, a great Sikh hero and martyr, never directly demanded the creation of Khalistan. He did, however, declare that the day India attacked the Golden Temple the foundation for Khalistan would be laid. Did Indira Gandhi take this as a challenge and launched the biggest ever operation against a holy place in history?

“Bluestar” was followed by Operation “Woodrose”, a statewide military cum police action, to break the Sikh will and to ensure that they may never again agitate for their rights and so to subjugate them. The government directed genocide of the Sikhs after Indira Gandhi's assassination was the culminating point which convinced the Sikhs that they had no future in India; the country for whose freedom they had sacrificed the most, way beyond their numbers and after independence contributed enormously, particularly in the areas of defense and economy.

Anti-Sikh genocidal policies have been pursued with ever escalating state repression during the past seven years, irrespective of the political party or combination of various national level parties that have ruled India since 1989. The Sikhs have been denied their democratic, fundamental and human rights. Through a record period of autocratic President's rule in Punjab, the Sikhs have been deprived of any say in the governance of their affairs.

The Enactment of a host of draconian laws like TADA, NSA, the Special Armed Forces Act, et-al, and even singling out Punjab for imposition of emergency (59<sup>th</sup> Constitutional Amendment) are some of the methods for enslaving and terrorizing the Sikhs.

The gross violation of human rights committed against the Sikhs has been condemned by almost all the international and Indian human rights organizations. Amnesty International, with an impeccable record for fair, thorough and objective reporting, has not been allowed to enter India for the past thirteen years. India has so much to hide that it simply cannot withstand exposure.

The United Nations Human Rights Committee has called the situation in Punjab “disturbing” and “completely unacceptable.” Asia Watch, in its 138-page report, “Punjab in Crisis,” released August 25<sup>th</sup>, 1991, states: “Security forces have engaged in widespread torture and summary executions of Sikhs.” Asia Watch charges that human rights abuses by the security forces are part of a deliberate government policy of repression. The report goes on to say that “while the conflict in Punjab constitutes an extreme threat to civil order the government's response has been influenced more by political expediency than by a commitment to the rules of law . . . by failing to address rampant abuses by the security forces, the authorities have encouraged further violence by the militants and criminal gangs.”

In its sixty-two page report, “India: Human Rights violations in Punjab”, Amnesty International highlights some facets of the Indian government's criminal acts: “Thousands of people have been arrested by police and security forces in Punjab since 1983 . . . prisoners have been detained for months or years without trial under provisions of special legislation suspending legal safeguards . . . there is a clear pattern to arrests, detention, torture and ‘disappearances’ . . . Sikhs are arrested on mere suspicion . . . woman have been arrested and tortured, beaten and raped . . . there have been persistent allegations that political prisoners have died in custody as a result of torture . . . Hundreds of members of or sympathizers of armed Sikhs groups have been captured, tortured and then extrajudicially executed, the killing attributed by the police to armed ‘encounters’ . . . Police routinely resort to extrajudicial executions.”

“In 1989, for instance, the Director-General of Police in Punjab issued an order promising financial reward for the ‘liquidation’ of fifty-three men . . . The Supreme Court ordered the Punjab government to lay charges against twenty-one police officers identified as having tortured detainees at the

Ladha Kothi Jail in 1984 and 1985. The secretary to the Punjab government charged with carrying out the order refused to do so . . . No police officer has ever been convicted of committing human rights violations in Punjab . . . Most detainees in Punjab are arrested under TADA which allows detention up to one year without charge . . . Prisoners held under this act can be tried **in camera** and the burden of proof is switched on to the accused to prove his or her innocence . . . TADA imposes a minimum of five years imprisonment including the peaceful expression of views which support any claim for secession.”

Numerous other human rights and civil liberties organizations and independent social workers like retired high court and supreme court judges, senior ex-defense and civil service officers and members of parliament have roundly condemned rights abuses by the Indian government and its various agencies after Indira Gandhi's assassination all over India and in Punjab ever since. The fact of the matter is that Punjab is presently the worst form of police raj and fascist rule imaginable.

I have devoted a full chapter on the movement for Khalistan abroad and have particularly highlighted the concern of the U.S. Congress with regard to the Indian state's ever escalating atrocities against the Sikhs. Excerpts from the Congressional Record have been quoted in considerable detail.

Washington based Dr. Gurmit Singh Aulakh and Dr. Paramjit Singh Ajrawat have played a laudable role in “educating” the U.S. legislators about political subjugation and gross violations of human rights of Sikhs in India. Likewise, Dr. Devendra P. Singh, Mr. and Mrs. Gurcharan Singh and Mr. Joga Singh of Norway, Mr. Dildar Singh and Mr. Baldev Singh of United Kingdom have been doing commendable job in the countries of their adoption. I have mentioned these names because I have had extensive discussions with them and am convinced about their dedication and commitment. There are indeed thousands more who are equally committed to the cause of the Sikh freedom and have made enormous sacrifices. I salute them.

It is ironical, however, that the Sikhs living in the truly democratic and free countries have exhibited political immaturity, complete lack of unity and

enlightened leadership. Consequently, they have done little to motivate the governments of their adopted countries to exert moral and economic pressure on the Indian government. There are any number of political organizations like Councils of Khalistan, governments in exile, high sounding World, International and Youth organizations; most working at cross purposes and trying to pull each other down. Majority of them have been effectively infiltrated by the Indian intelligence agencies.

At the religious level, nearly half of the three million Sikhs living in foreign lands have dispensed with the sacred symbols, including the dominant “K”, **keshas** (unshorn hair). Little effort is being made to teach the new generations their language, the basic Sikh ideology and their glorious traditions and history. There is a big cultural gap, both in respect of the traditional Punjabi culture as well as the culture of the countries they are living in. In common with other Indians, they tend to interact with their own kind. They have brought with them their Gurdwaras but not the flavor and essence of Sikhism. Infighting, litigation for controlling Gurdwaras and groupism have increased side by side with their affluence and prosperity. I am not here to preach. These are the outpourings of an anguished heart. Sikhs living abroad have a duty. They can do a great deal more for the emancipation of their nation in ‘bondage’ and for their own collective good. Jews, constituting a mere 2.5 percent of the American population, are an excellent example to emulate.

One is somewhat bewildered at the Western Countries' lackadaisical approach to the suffering of the Sikhs, Kashmiri Muslims and Christian Nagas at the hands of Indian government forces at such an unprecedented scale. Nowhere in the world has any government pursued the kind of genocidal policies against a religious minority as in India since the Second World War. Yet the only reaction has been by human rights organizations, some legislators and press correspondents. Contrast this with these governments' reaction to the human rights abuses and the struggle for political emancipation in other areas, vis., the U.S.S.R., Europe and the Middle East. Do these governments have two standards of assessment — one for the whites and another for the hapless minorities of India? How long will they pander to the so-called largest “democracy” and look the

other way when India deprives certain sections of its citizens of life, liberty and dignity with impunity?

Whilst direct politico-military intervention by the Western allies, as in the case of the Middle East (Israel-Arab feud) and in the Gulf (Iraq-Kuwait), may not be presently expedient, these powers can exert excruciating moral pressure on India to give freedom to the Sikhs. Other means of making India see reason is to link any form of aid and loan to a profound respect for human rights, the repeal of draconian laws, and substantial reduction in the import of arms (India is by far the world's largest importer of sophisticated weapons) and to enable the Sikhs to exercise their right of self-determination under the International Covenant on Civil and Political Rights to which India is a signatory.

This book sets out to place before the Indian and international bar of public opinion grounds for Sikh separation from Bharat, which is India. It covers in some chronology the painful story of betrayals and discrimination. The first chapter is a repeat of my booklet, "The Sikh Case" which I had written as President of the **Bharat Mukti Morcha** (Punjab). Other major issues and events like Operation "Bluestar", Genocide, communal divide, politics of violence, Rajiv-Longowal Accord and the Fate of Sikhs outside Punjab, have been dealt with separately under specific chapters. The last chapter is a reproduction of the Constitutional Profile of the Khalsa Raj Party and the Declaration of Independence of the Sikh Homeland.

I have been asked both in and outside of India if there could be a solution to the Punjab (in reality, the Sikh) problem within the framework of the Indian constitution. My answer invariably is NO. The time is long past for any internal adjustment. We trusted the Congress and Hindu leadership, ignoring at our own expense, the warning of Jinnah. He said, "You have known Hindus as a subjugated race. Once they come to power they will treat you the way they have treated **shudras**, a part of their own community." For countless centuries, **shudras** have been down graded to the level of subhuman, far worse than animals!

**Bharatiya Janata Party** (BJP) is the second largest political party in India. It has improved its presence in the Lok Sabha from two to one



hundred and thirty Members of Parliament in less than two years. Its leadership has for long been advocating transformation of India from secular into a theocratic **Hindu Rashtra** (Hindu State) and had left no doubt in the minds of the minorities about their future in that country. Gowalker, the father of the resurgent ultra Hindu fundamentalism of which BJP is the latter day incarnation and which is fully implementing his policy enunciated in his book “We are our Nationhood defined”. Here is a sample:

“German race pride is a good lesson for us in India to learn and profit by. The non-Hindu people of India must adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no ideas but those of the glorification of the Hindu race and culture. They may stay in the country, wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, far less any preferential treatment, not even citizen's rights.”

The Sikh militancy is the direct consequence of the Indian state's all out war against every facet of Sikh life — religion, language, history, culture, education and economy. Treated as an expendable species, reduced to third grade citizens through a series of draconian laws, the likes of which no other country has on its statutes, and faced with the crimes committed against them by Indian security forces which even go beyond the scope of these draconian laws, a section of the Sikh community took to arms to free their homeland. Small in numbers they have faced as many as five hundred thousand troops, paramilitary and police personnel and inflicted comparable damage on the adversary despite such heavy odds. Sikh freedom fighters also filled the vacuum created by the doddering, collaborative and selfish Akali leadership which shamefacedly capitulated in the wake of India's onslaught. Our heart goes out to those brave young men who have kept the flag flying notwithstanding that their life span is cut down to months or a few years after they join the ranks of the militants.

Although the Sikhs belonging to Congress and Communist parties are treated no different from other Sikhs when the chips are down, as during post Indira Gandhi genocide, they continue to sing their master's praises and sheepishly pride themselves as belonging to the national mainstream, a euphemism for collaborators and fence sitters.

In the life of every nation under siege, a situation and time come when it must decide whether to submit to or resist oppression. That time is upon us. In the context of the glorious Sikh tradition and logic of history, the choice is obvious. Sikhs have grievously suffered on account of political naivety of their leaders at the time of India's Independence and Partition in 1947. But they can be forgiven for they knew not the mind and the character of the future Indian state. There can be no excuse for the contemporary leadership and the valiant Sikh masses not to rise to the occasion and break the shackles of slavery. A lost opportunity never comes back!

Khalistan will not only fulfill the Sikh aspirations but also will usher in an era of peace in South Asia and make a positive contribution to the changing world order. As a buffer state between India and Pakistan, which have perpetually remained in a state of cold or hot war ever since Independence, it will be a strong deterrent to their territorial ambitions. Their defense budgets, far in excess of their financial resources and at the cost of the teeming millions who do not even get one square meal a day, can thus be substantially reduced. South Asia could then adopt the European Common Market model to the benefit of all.

It may be pertinent to give the reader some idea of the government action taken against me after the 15<sup>th</sup> May Declaration. I was immediately charged under Sections 24 and 53 of the Indian Penal Code. I applied for bail. Whilst the case was still pending, the government lodged another FIR under TADA which has been briefly explained above. Under this blackest of the black laws, one cannot post bail. I was also directed to surrender my passport. That left me with two options. One, to go to prison and be subjected to torture and indignities for which Indian prisons are so notorious and possibly never see the light of day again; two, to escape from India. I came to America via Nepal (there being no visa requirement for that country) to avoid possible arrest at the Delhi airport.

I have since been visiting various cities in the U.S.A. and explaining to the Sikh congregations and separate groups the situation in Punjab and the agony of the Sikh nation.

I was recently invited by the Norwegian Institute of International Affairs, Peace Research Institute, Institute of Human Rights and Amnesty International, Norway to address the Seminar on Sikh Freedom and the Indian state held at Oslo on September 18<sup>th</sup>, 1991. My speech has been reproduced at Annexure 1. In fact I have written this preface on my return from Norway flying at thirty thousand feet above the Atlantic Ocean.

I have resisted the temptation to discuss Indian government's atrocities against other religious minorities like Christians of Nagaland, Muslims of Kashmir, the ethnic minorities (of Mizoram and Assam), the exploitation of scheduled castes and tribes and the self created problems with China and other neighboring countries Likewise, the systematic destruction of the democratic institutions by the very people and the State organs-the Presidents, Prime Ministers, Parliament, the Judiciary and the Chief Election Commission-who are sworn to uphold the constitution get only a passing treatment. Gross mismanagement of almost all other affairs of the State-economic and fiscal; educational and welfare of the people: population control and the ever increasing expenditure on armed forces, paramilitary, police and the civil services which has brought India to the brink of bankruptcy had to be overlooked. Doing so would have made this treatise unwieldy and to that extent shifted the focus from the central theme and purpose.

I wish to express my apology for some repetitions in the text and the annexures: due mainly to my desire to make each chapter and article independently self-contained. Parts of this book before Rajiv Gandhi's assassination have been retained unaltered to keep intact the assessment of the movement.

In conclusion, it would be pertinent to summarize the grounds for the Sikhs opting out of India. Each one of these reasons provides good and sufficient basis for the creation of Khalistan. Together, they constitute an impregnable substructure for its realization. These are:

## **1. Betrayal:**

(a) None of the promises and solemn commitments made to the Sikhs during the freedom struggle was honored. The constitution framed was a total negation of the nationally agreed basic structure, which had motivated the Sikhs to join Bharat. It was so inimical to the Sikh interests that their representatives on the Constituent Assembly refused to sign it.

(b) Far from their state, Punjab, being given an autonomous status it has been reduced to a sub-state, a mere colony of the Centre.

## **2. Degradation:**

Notwithstanding their enormous sacrifices during the freedom struggle and being lauded as the pride of India, the Sikhs were declared a “criminal tribe” within one year of Independence-a highly despicable, dishonorable and humiliating stigma.

## **3. Discrimination:**

In practically every sphere, the Sikhs have been grossly discriminated against,

(a) Whilst the rest of the country had been reorganized on the basis of language, the Sikhs had to peacefully agitate for fifteen years before they got a truncated Punjabi speaking state minus its capital and large chunks of adjoining Punjabi speaking *areas*.

(b) Discrimination in enrollment in the defense and civil services contrary to the constitutional provisions.

## **4. Military Offensive:**

Operations “Bluestar” and “Woodrose” were an all out attack on the life, property, religion and cultural identity of the Sikhs. Nothing of

this kind and magnitude ever took place during the entire history of mankind even in the occupied territories during war.

## **5. Genocide:**

The government directed genocide of the Sikhs after Prime Minister Indira Gandhi's assassination has no parallel. Neither Nadir Shah nor Adolf Hitler incited the majority community to exterminate a minority community unlike Rajiv Gandhi. Indeed all three used the government apparatus to commit inhuman and barbarous deeds.

## **6. Economic Deprivation:**

(a) By diverting its river waters, the only worthwhile natural resource, to non-riparian states in violation of the well established national and international riparian laws and wresting control of the hydel projects the center has delivered a crippling economic blow to Punjab. Once the plan is completed the state will be transformed from India's breadbasket to pauperism.

(b) Through the government controlled banking system the bulk of savings of Punjab are invested in other states to the detriment of its economic development, public health, education and other welfare activities.

(c) Per capita investment in industry in Punjab is the lowest in the country thus depriving job opportunities to its youths and seriously undermining balanced growth.

## **7. Anti Sikh Policies:**

Anti Sikh policies, amounting to selective genocide, have been pursued with ever escalating state repression since 1984. Their democratic, civil and human rights have been forfeited through Presidential rule, draconian laws and deployment of hundreds of thousands of combat troops, paramilitary and police personnel in the Punjab representing less than two percent of India's land mass and population. What is

worse is that they can commit any crime without fear of retribution. Tens of thousands of Sikhs have been massacred through extrajudicial killings, and many more subjected to all manner of barbarities-incarceration without trial for indefinite periods, torture, rape, humiliation and extortion at an enormous scale.

### **8. Political Segregation:**

Punjab has been kept out of political process for a record period of nine years under Presidential rule. It has now been in force for over four and a half years. Since the Sikhs have no vote, no democratic rights, no civil liberties, they are fully justified in rejecting the constitution, to which they have never acceded, and disassociating themselves from that country.

**What India has done to the Sikhs is so evil it has no name. It has violated every term and basis of the 1947 partnership with the Sikhs. Consequently, the partnership stands dissolved and the political bond terminated. The only solution is Khalistan.**

**GOD BLESS KHALISTAN**

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## CHAPTER I

### EXCERPTS FROM THE SIKH CASE

I wrote “Genesis and Solution of the Punjab Problem — The Sikh Case” immediately after assuming presidency of the Bharat Mukhi Morcha (Punjab) in October 1988. The following excerpts from that booklet are relevant as an introduction to this monogram. It shows how this writer had endeavored to use the national platform provided by the BMM to educate the public on the virulent anti-Sikh policy of the Congress and its successive governments since Independence and to suggest a solution.

The ongoing genocidal policies pursued by all the major national level parties, vis., BJP, Janata Dal, Smajvadi Janata Dal, CPI and CPM on the Congress (I) pattern, the total denial of democracy and human rights of the Sikhs, and the ever escalating state repression and uniformed brutalities have left them no option but a complete parting of the ways through the creation of an independent, sovereign Sikh homeland, Khalistan. These extracts from “The Sikh Case,” therefore, serve only as a perception of the author three years ago and as background material.

#### FROM THE FOREWORD OF “THE SIKH CASE”

The Sikhs who made the greatest sacrifices for the honor and independence of India, their motherland, are being branded as secessionists, terrorists and anti-national. Their psyche has been deeply wounded through blatant acts of omission and commission by the Congress (I) Government which include a full scale military attack on their holiest shrine - The Golden Temple Amritsar and other historic Gurdwaras where they had congregated to celebrate the martyrdom day of Guru Arjan Dev and the organized genocide of the community after late Prime Minister Indira Gandhi's assassination in November 1984. Tragedies beyond words! Not a single person responsible for these monstrous crimes has been brought to book.

In fact, through persistent persecution, killings, indefinite detention and torture of innocent Sikhs, Goebbelsian anti-Sikh propaganda through the controlled media, and false and exaggerated statements since Operation “Bluestar” public mind has been deeply poisoned. Sikhs, who were, until lately, highly respected in all parts of the country, are being humiliated and virtually treated as hostages. No wonder those living outside Punjab feel so insecure that they are always on the look out for opportunities to leave their homes and businesses to rehabilitate themselves in Punjab or other countries.

Punjab, the most peaceful state until 1983, has become the most violent. It is under virtual police siege. Fundamental human rights and civil liberties are non-existent. Justice and fair play are things of the past. The slide towards fascism, anarchy and armed revolution is a reality. There is little hope of the present rulers, who have brought about this situation, finding a just solution to this greatest political problem since Independence. The Congress (I) policy vis-a-vis the Sikhs can be summed up in a few words. Beat Sikhs and win elections. Stash away ill-gotten wealth in and outside India. In stark repudiation of the adage “Equality before Law” twist it to cater to different categories of people in the following order: (i) for the prime minister; (ii) for his cronies - the Bachchans, the Chadhas, the Suns and the like; (iii) for the Congressmen; (iv) for the general public and none for the Sikhs. Make solemn commitments and even sign accords with no intention of implementing them. Appoint commissions to get engineered verdicts. The only hope for the Sikhs and indeed the country is that the entire opposition unitedly takes up the challenge and creates a truly democratic, secular polity and restores the rule of law. The alternative is the spectre of disintegration and Balkanisation of the country.

It may be remembered that during the emergency, clamped on the country by Mrs. Indira Gandhi, Sikhs were the only people who launched the Gandhian type of peaceful agitation till it was lifted. Twice as many Sikhs courted arrest as the total number during the Quit India Movement. Now that the Sikhs are being subjected to multi-pronged onslaught, the Non-Congress (I) parties should rise to the occasion and force the Centre to mend its ways.



It is a matter of shame that in the land of the greatest apostles of peace, the Buddha, Guru Nanak and Mahatma Gandhi, Indians have killed more Indians since Independence than during the two hundred years of foreign rule in peacetime, not including the holocaust during partition.

## **BONDS OF BLOOD**

3. Common heritage particularly between Hindus and Sikhs in regard to cultural, linguistic and socio-economic is a unique historic experiment in communal harmony. By and large Hindus have regarded the Sikh Gurus as their own Gurus and the Sikhs have enthusiastically participated in all Hindu Festivals. To substantiate this aspect of the Hindu-Sikh unity, it is worth recalling what Professor Gokal Chand had said in England in 1908 when he was addressing a congregation comprising of Britishers, Hindus and only a sprinkling of Sikhs - "Guru Gobind Singh is to us Hindus as Christ is to Christians."

Pandit Madan Mohan Malaviya exhorted that at least one member in every Hindu family should become a Sikh.

Even after the partition Pandit Jawahar Lal Nehru, appreciating contribution of the progressive and hardy Sikhs to the economy of the country said, "I wish every Indian becomes a Sikh."

4. It is a great pity, therefore, that to gain petty political advantages such as setting up Congress governments in Punjab and Haryana, the Congress (I) brought about communal divide of unprecedented dimension. The only silver lining is that there are still a large number of sensible people in the two communities who have not lost their sense of proportion and have tried to maintain the age-old relationship. It is also fortunate that despite the fact that there have been a number of cases of revenge killings and destruction of the Sikh property in the wake of some terrorist actions in Punjab, there has been no such reaction against the Hindus who are extremely vulnerable in villages of Punjab where they are a tiny minority. The number of Sikhs killed by the extremists is far more than the Hindus, which proves that even the

extremist groups of the Sikhs are not anti-Hindu. Theirs is a fight against the government tyranny and injustice.

## **ROLE OF THE SIKHS IN THE STRUGGLE FOR INDEPENDENCE**

5. The Sikhs from their very inception fought for India's freedom and restoration of secularism in the country. They fought resolutely against the formation of Pakistan and to safeguard national integrity. It was mainly the result of their sacrifices that the present day Punjab, and Haryana, were retained in India. At that point of time, they rejected outright the offer made by Mr. Jinnah for an autonomous State for Sikhs within Pakistan and threw their lot with their Hindu brethren in India; their motherland. In appreciation of the great patriotic spirit of the Sikhs and in gratitude for the tremendous sacrifices made by them in upholding their age-old kinship with Hindus, a special political status within India was agreed to by the Indian National Congress and announced publicly by Jawahar Lal Nehru himself. He said; **“The brave Sikhs of the Punjab are entitled to special consideration; I see nothing wrong in an area and a set up in the North where in the Sikhs can also experience the glow of freedom.”**

6. It can be asserted that the Sikh leadership opted to cast their lot with India as an act of faith and in the firm belief that the values nurtured by their religion, history and tradition will best flourish in the democratic secular country envisioned by Gandhiji and Nehru rather than in a theocratic and perhaps feudally inclined Pakistan. They also believed that their identity and future would be safe in a federal structure foreseen in the constitutional evolution of the new Indian State. This hope was founded on a firm, clear and solemn commitment by Mahatma Gandhi as far back as 1931. The events that led to this were as follows:

7. A Committee was formed by the Indian National Congress in 1928 under the chairmanship of Motilal Nehru to prepare a frame-work of the Constitution for free India. In its report the Committee upheld the principle of communal reservation for the Muslims while denying the

same to other minorities like Sikhs. When Sikh leaders expressed grave thoughts concerning their future in India, **the Congress Party, in its annual session at Lahore in 1929, passed a resolution that on achieving independence, no Constitution would be framed unless it was acceptable to Sikhs.** Before the second Round Table Conference organized by the government of Ramsay MacDonald in 1931 to discuss the recommendations of the Simon Commission, a Sikh leader, Madhusudan Singh, confronted Gandhi when he came to address a conference in Gurdwara Sisganj in Delhi with the question as to what guarantee there was that the Indian National Congress would implement the resolution of 1928 after India became free. Gandhi declared: **“I ask you to accept my word and the Resolution of the Congress that it will not betray a single individual much less a community. Let God be the witness of the bond that binds me and the Congress with you”.** When pressed further Gandhi said that **Sikhs would be justified in drawing their swords out of the scabbards as (Guru) Govind Singh had asked them to, if the Congress would resile from its commitment (Young India, March 19, 1931).**

8. The Sikhs believed that the leadership of Indian National Congress had a firm, irrevocable and sincere commitment to the creation of a State wherein justice, social and political, complete equality before law, welfare of the under-privileged and principles that govern a modern secular State shall be pursued with deep and abiding commitment. This was a fundamental premise that motivated Sikhs to cast their lot with India.

9. Mahatma Gandhi passed away soon after independence in January 1948. Unfortunately, Pandit Nehru through his utterances and actions at the time of reorganization of the States on linguistic basis created an impression among the Sikhs that he had resiled from the promises made to them by Gandhiji and by himself. Furthermore, the evolution of the Indian State has given the Sikhs a cause for deep concern, as the Indian State seems to subscribe to democratic and secular values more in letter than in spirit.

10. The Sikhs have a very strong sense of history and a long unbroken tradition of struggle against injustice, discrimination and oppression, (Witness: Guru Teg Bahadur's defense of the Kashmiri Pandits' right to their own way of worship even though the Sikh Gurus firmly repudiated Brahmanism and the observance of rituals). They are now beginning to wonder if the clock of democratic evolution is being pushed back and the Indian State becoming an engine of repression of the weak, numerically inferior, the poor and the underprivileged.

11. Indian National Congress had consistently propagated a federal structure for the new India with autonomous unilingual States and had pledged constitutional safeguards to the minorities. In 1949 the Central Government formally elicited views of the Punjab Legislature on the draft constitution. The Akali representatives, reminding Congress of its promises, reiterated:

“It has been the declared policy of the Congress from the outset that India is to be the Union of autonomous States and each unit to develop in its own way, linguistically, culturally and socially. Of course, Defense, Communication and Foreign Affairs must and should remain the Central Subjects. To change the basic policy now is to run counter to the oft repeated creed of the Congress.”

Flouting its own solemn promises to the Sikhs a basically unitary form of Constitution was framed. In protest, the Sikh representatives in the Constituent Assembly did not sign the constitution. Strictly, therefore, the Sikhs are not a party to the Indian Constitution. Indeed that in no way detracts from the unmatched patriotism of the Sikhs for their motherland-India. What is required is to effect such changes in the Constitution that will ensure their perpetual, enthusiastic and traditional sense of loyalty.

## **FORMATION OF PUNJABI SUBA**

12. The Punjabi Hindus prompted by the Congress party ruling at the Centre opposed the formation of unilingual Punjabi State by disowning their mother tongue, thereby separating themselves from the Sikhs.

This sinister falsehood was perpetuated to thwart the formation of the Punjabi speaking State when the map of the rest of the country had been redrawn on the basis of language. The Sikhs naturally felt aggrieved, as the Central stance was openly anti-Sikh in this case also. This became the basis for communalizing politics in Punjab, which eventually developed into the Hindu-Sikh divide.

13. The Sikhs had thus to wage a fifteen-year-long struggle for the formation of the unilingual Punjab (Punjabi Suba). During this period, which saw many agitations, the Punjabi speaking Hindus regularly dubbed the Sikhs as communal, anti-national and even anti-Hindu. This misinformation about them hurt them even more as it was utterly against their socio-political philosophy.

14. During the 1965 Indo-Pak War, the high, unalloyed patriotism of the Sikhs was amply demonstrated by the soldiers and civilians alike. It had to be recognized and, as a result, the Government reluctantly acceded to the formation of Punjabi Suba the following year. But a great deal of anti-Sikh bias played havoc with the whole process so that only a truncated Sub-State with limited powers was formed. Even its capital city Chandigarh and large chunks of Punjabi speaking areas were kept out. The crucial subjects about the control, development and distribution of the waters and hydel power of Punjab rivers was kept in central hands in violation of the Constitution and the precedents set everywhere else. On the whole, it was yet another instance of discrimination. Even more serious struggle had to be waged for Chandigarh, left over Punjabi areas, and the river waters and hydel power. This further embittered Hindu-Sikh relations and increased the feeling of discrimination and loss of faith in the Central Government.

## **SUB-STATE**

15. The factual position at present is that not only have the Congress and its government gone back on their commitment of an autonomous state within India but Punjab has been given an even lower status than other states.

## Examples

(a) Territorial Issue: After the enunciation of Sachar Formula in 1949 the Punjab was divided into two distinct parts: one comprising Punjabi-speaking areas and the other Hindi-speaking. This demarcation was fully accepted and supported by one and all. Later, the Central Government devised a legislative measure under the name of Regional Formula. Nobody ever questioned the fairness of this demarcation. When ultimately the Punjabi Suba was formed, this clear-cut division was ignored and a new boundary in which large chunks of territory were ceded to the newly created States of Haryana and Himachal Pradesh was outlined. This mischief was a glaring case of discrimination and had in it the seeds of perpetuating dis-harmony. It is amazing how the Central Government goes out of its way to complicate simple issues rather than solving them. In the process it sets one section of the Indian society against the other, and to achieve its ends it has undermined practically every democratic institution. What could be more anti-national than the policies of the biggest political party, the present Congress?

(b) State Capital: Whilst elsewhere in the country the state capitals e.g. Bombay to Maharashtra, Madras to Tamil Nadu and Simla to Himachal were retained in the reorganized state in which they were located, in the case of Chandigarh, Punjab is being bullied to compensate Haryana by giving the latter large areas of agricultural land which had been accepted by all concerned as Punjabi-speaking. Indira Gandhi awarded Fazilka and Adohar tehsils to Haryana in lieu. A special clause was inserted in the Rajiv-Longowal accord to achieve a similar objective.

### **(c) River Waters:**

(i) In its nefarious game of denying the constitutional rights of Punjab over its rivers and hydel power, the Centre included Sections 78 to 80 in the Punjab Reorganization Act 1966 which enabled it to give seventy-five percent of these resources to the

non-riparian states of Haryana, Rajasthan and Delhi through the Government of India Order of 1976. The powers of control, administration and running of the multi purpose projects and head works on these Punjab rivers were completely transferred from the Punjab Government to the Central Government. The extension or development of these projects involving both irrigation and power also vests in the Central Government. Not only is it unconstitutional but also Punjab is the only state in the country from where these strictly state subjects have been taken away from the purview of the State Government. The decision of the Narmada Tribunal, which was argued by the best legal talent of the country including Palkhiwala, Daphary, A.K. Sen, Nariman and Niren De, is worth quoting:

“The State of Rajasthan is not entitled to any portion of the waters of Narmada basin on the ground that the State of Rajasthan is not a co-riparian State or that no portion of its territory is situated in the basin of the river Narmada.”

Haryana, Rajasthan and Delhi are non-riparian States as all these are outside the basin of the Punjab rivers.

(ii) Out of 105 lakh acres of cultivable land in Punjab about ninety lakh acres are presently irrigated. Double cropping needs five or six acres feet annually. Approximately thirty-seven lakh acres are partially irrigated by canals and fifty-three lakh acres by tube wells. Against three, to three and a half, m.a.f. of sub-soil (re-chargeable) water available for drawing, seven lakh tube wells are extracting nearly twelve m.a.f. thus seriously depleting this source at present. With nearly one-lakh tube wells being added annually, the problem will become even more acute. The time is not far (Government's Dhillon Committee Report estimation - ten years) when it will not be possible to draw water from the resultant lower water table making eighty percent of fifty-three lac acres barren. The havoc it will create to the ecological and social environment of the region is mind-boggling besides totally destroying the economy

of the State. Punjab, which is now contributing seventy-three percent of good grain to the national kitty, will become a deficit state. Remember, it was the progressive Punjabi farmer who turned the deficit East Punjab at the time of partition into the grainery of India because of water availability. Otherwise the country would still be tied to the apron strings of PL-480. River water is the only natural resources or wealth of Punjab on which depends its economic existence and prosperity.

(iii) In order to save Punjab from ruin, diverting its river waters to non-riparian states must be forthwith stopped. Against the assessed requirement of fifty to sixty m.a.f. water today, the available river water is only thirty-two m.a.f. There is, therefore, not a drop to spare. Any arrangement for sharing Punjab resources between Punjab and the neighboring States must be left to them to be worked out on strictly commercial basis. Since the Central Government has, through its pronounced partisan policies, turned this simple constitutional problem into a highly complex issue, the matter should be referred to the Supreme Court whence it was maneuvered out. The commissions and tribunals have been reduced to instruments of the Centre's devious ways to achieving its petty goals. The Sikhs can no longer accept their verdicts because the present allotment will further reduce the thirty-seven lacs canal irrigated area to twenty-one lacs acres, bringing down the currently irrigated areas to less than thirty lac acres. Similarly the transfer of substantial quantum of hydel power will seal the fate of its industrial progress in future.

### **Bhindranwala Phenomenon**

16. Impartial historians have established that the Bhindranwala phenomenon was not the product of alleged Sikh separatism. It was the direct result of political intrigue of the ruling political party. For the same devious reasons, the Government men turned against Sant Bhindranwala when he was not prepared to further the designs of the government.



## OPERATION “BLUESTAR”

17. What was happening in the Golden Temple was known to the government and its agencies months before the attack. The massive assault on the holiest Sikh shrine was a most unjustifiable and a totally avoidable action. The Sikhs cannot but be incensed that the Operation was launched on the martyrdom day of Guru Arjan Dev. It is unimaginable that, whatever might happen, the Saudi Arabian Government will mount a comparable assault on the Holy site of Mecca or the Italian government on the Holy Vatican City.

18. Besides numerous casualties among the defenders including Sant Bhindranwale and ex-Major General Shabheg Singh, a large number of pilgrims comprising men, women and children perished. The destruction of Akal Takhat, Darshani Deohri with priceless objects-de-art, library with rare manuscripts (burnt after cease fire) and many other buildings in the Complex was an equally unpardonable offense. Here was a case in which maximum force including guns and tanks were recklessly employed against their own people. Hundreds of pilgrims were picked up and kept under unlawful detention, as being civilians they could not be detained without judicial sanction. A large number of them are still under detention in Jodhpur Jail including employees of the SGPC.

19. Thirty-nine Children (aged two to fourteen) were kept in unlawful custody before the Supreme Court ordered their release in September ‘84. Despite repeated requests by the Sikhs, no list of casualties is furnished. This is perhaps the only country in the world in modern times where people can be deprived of their liberty without recourse to any judicial scrutiny for years. Because of the false and persistent propaganda, people were made to believe that there was no alternative to a full-scale attack on the most venerated shrine of the Sikhs.

20. Scavengers were paid large amounts of money to load and cart away the dead and dying to be buried or cremated en masse. Even General Dyer had handed over the bodies of the Jalianwala Bagh

massacre to their relatives for performance of the last rites with solemnity and honor due to the dead.

21. Operation “Woodrose”, which followed, let loose a reign of terror in the countryside resulting in large number of young people being killed and imprisoned. Some among them fled across the border to Pakistan. For the latter, it was godsend. Pakistan has wanted to create a situation to do the ‘Bangladesh’ on India.

22. Altogether the situation in Punjab was made worse than even in the lands occupied in war. Atrocities committed on the people are too gruesome to be recorded.

23. The troops were indoctrinated against the Sikhs over a period of time, which not unnaturally resulted in their attitude towards all Sikhs who wear long hair. No wonder they committed such wanton destruction of life and property against their own countrymen in gross repudiation of the age-old tradition of the use of minimum force. A circular known as “**BAATCHEET**” (Talking Points) is routinely sent to all formations and units which commanders at various levels use to ‘educate’ the soldiers on current topics. Here is an extract from the July 1984 issue of “BAATCHEET”:

“Although majority of the terrorists have been dealt with and bulk of the arms and ammunition recovered, yet a large number of them are still at large. They have to be subdued to achieve the final aim of restoring peace on the country. Any knowledge of the ‘Amritdharis’ + who are dangerous people and pledged to commit murder, arson and acts of terrorism should immediately be brought to the notice of the authorities. These people may appear harmless from outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed.”

+(All baptized Sikhs who were long hair are ‘Amritdharis’. At the time of “Bluestar”, the President of India and the present Home Minister and indeed all Sikh Ministers and other government

functionaries are all ‘Amritdharis’-dangerous people and pledged to commit murder, arson and acts of terrorism!!)

## **ASSASSINATION**

24. The engineered genocide of the Sikhs after Mrs. Indira Gandhi's assassination in Delhi and elsewhere has left deep scars on the Sikh psyche. A patriotic, self-sacrificing and traditionally the most valiant defenders of the motherland were cut down, burnt alive and done to death in a most cruel manner in many parts of the country, particularly in the Congress (I) ruled States. The holocaust was worst in Delhi where thousands of Sikhs were killed, their women gang-raped and abducted, and some five hundred Gurdwaras burnt. The ruling party under directions from above perpetuated all this. None ever shed a tear or spared a word of sympathy. Not only has no action been taken against the criminals but also they have been rewarded with important positions including ministerships.

25. The Golden Temple had been destroyed and desecrated in the past but those who did it were outsiders. Every time the persons responsible for the sacrilege were exterminated. This time, our own government committed the desecration and therefore the sin involved was hundredfold. Assassination of the Prime Minister and the Chief of Army Staff should be viewed in that perspective. After the “Bluestar”, this general massacre of the Sikh community is the darkest act in Indian history and an act of betrayal and ingratitude towards Sikhs, the age-old soldiers of Hindustan. Dubbing the Sikh community as secessionist and terrorists is a ploy of the Congress (I) Government to hide its own shameful conduct over a decade in pushing the Sikhs into alienation just for selfish party aggrandizement.

26. Let us see who fought and sacrificed most for national freedom. Seventy percent of those sent to gallows, exiled or killed at Jalianwala Bagh, Budge Budge Ghat and in Akali and Kuka movements were Sikhs and let it be known that they formed less than two percent of the total population. Nearly ninety percent of those who were exiled in Andaman and Nicobar Islands were also Sikhs. Although during the

Second World War, Sikhs formed about twenty-five percent of the Armed Forces, sixty percent of them joined the Indian National Army raised by General Mohan Singh and later by Subhash Chander Bose. How come, the Sikhs who treated whole of India as their motherland and sacrificed most for her honor have suddenly become anti-national?

## **THE ECONOMIC FACTOR**

27. Whereas the Sikhs outside Punjab, Haryana and Rajasthan are based in the dries, in the aforesaid states they are very largely rural people with employment opportunities in agriculture and soldiering; fields in which they have been recognized as practitioners par excellence. They proved to be the best colonizers wherever new ground had to be broken in development of agriculture in virgin lands whether these were the newly irrigated canal colonies of Lyallpur, Montgomery and Sargodha etc. (now in Pakistan), Ganga Nagar district of Rajasthan in the early 1920's or in the most inhospitable Terai lands in UP after independence. It will be a safe guess that along with the state of Punjab the Sikh fanners in Haryana and Terai areas of U.P. contribute more than eighty percent of the marketable surplus of food grains in the country. Their contribution in blood and toil in soldiering would stand out likewise.

28. It is an axiom of economics of rural agriculture development that as the stock of cultivable land in a state approaches near full exploitation and particularly when resources of water and power are strained, there must be major shifts in the employment pattern away from rural agriculture to urban industrial employment. In the last one hundred and twenty years, the agricultural employment in U.S.A. has shrunk from sixty percent to three percent and the same pattern is being followed in other developed and developing countries.

29. Historically the Punjabi farmers have found sources of employment for increasing population of rural manpower, in colonizing new lands, through entry to the armed forces and through emigration out of India, i.e. to U.K. and Canada in the 60's and to Middle East in the 70's. These traditional avenues for employment of rural youth of Punjab had

been exhausted by the year 1980. Unfortunately the problem was exacerbated with the governments of Rajasthan and Himachal Pradesh embarking on policies, which effectively prevented the farmers from Punjab to move into newly opened areas in the horticulture of Himachal Pradesh or the canal colonies of Rajasthan. This is despite the fact that fifty-two percent waters of Punjab rivers are being given to Rajasthan even when it is a non-riparian state. Such a situation is bound to lead to economic distress and strong resentment among the rural youth in Punjab unless counter active measures are taken immediately and with a long-term perspective to reverse the aforesaid policies and by making massive investments in industry and technical/industrial education within the State of Punjab. Here it is pertinent to note that credit deposit ratio of the nationalized banks in Punjab is practically the lowest in the whole country which is indicative of the fact that growth of industrial development in Punjab is totally stagnant compared to equally progressive States such as Maharashtra, Gujarat and Tamil Nadu.

## **SIKHS AND THE DEFENSE SERVICES**

30. The foregoing economic analysis has to be seen in the background of earlier pattern of employment available to the rural youth; mainly the Sikhs. Recognizing the fighting qualities of the Sikhs, the British Government soon after the annexation] of Punjab, not only incorporated some of the units of the Lahore Darbar into line I British Indian Army but also recruited Sikhs into all types of Combatant and Service units far in excess of their population. During the first World War, Sikhs comprised" approximately thirty percent of the Indian Army and during the Second World War nearly twenty-five percent This writer joined the Indian Military Academy shortly after the second World War when courses for permanent regular commission had been I commenced after the war. The Sikh cadets comprised nearly one-third of the total, which included Muslim cadets in the undivided India.

31. At present, the Sikh representation in the Armed Forces is down to about eight percent. The Sikhs would have no complaint had this been the outcome of the process of selection by merit as prevails in other

employment avenues offered by the government. If the unconstitutional policy of recruitment to the Defense Services on the basis of population is not immediately revoked, the Sikhs in the Army will be reduced to about two percent. Besides causing serious economic distress to the Sikh families, this policy will undoubtedly have disastrous repercussions on the Defense capabilities of the country. In its final analysis it is the man behind the gun that matters and any notion that with the sophistication in weaponry tradition and martial qualities; are no longer relevant, is fraught with great danger. Furthermore, proposed system is contrary to the general method of merit alone governing recruitment to all other public Services. It is also violative of the principle of equality of opportunity embodied in fifteen and sixteen of the Indian Constitution. It may be worth quoting the famous Pakistani General, **Atiqu-ur-Rehman**, **“Sikhs are the finest soldiers in the world because they have the best combination of mental and physical endurance.”**

32. It cannot be too strongly emphasized that populist, discriminatory and unconstitutional policies particularly in matters such as recruitment to the Defense Services in proportion to a particular community's numbers will gravely endanger security of India.

## **BLACK LAWS**

33. The draconian laws enacted during the past few years have reduced Punjab to a tyrannical police State and high degree of fascism. Life and liberty of the Sikhs in Punjab is at the mercy of the Government agencies and even a low level cop can deprive them of these God given attributes. There are numerous examples of the State police and the para-military forces killing innocent people with impunity. No action is ever taken against those who have indulged in these heinous crimes. Being too well known and for want of space, no examples are considered necessary. Heads of the State Police openly state that they would continue hiring men to kill so called terrorists. Would anyone call such a State civilized or democratic?

34. Individual terrorism has emerged as a result of State terrorism let loose in the unfortunate land since the time of Operation “Bluestar”. More and more stringent laws have been enacted which have empowered the Government to perpetrate even greater repression. It has been proved not only in Punjab but also elsewhere in the world that for self-respecting and brave people, harsher the Government oppression more determined the resistance. It is in the national interest, therefore, that the black laws violating the basic fundamental human rights enshrined in the Indian Constitution are repealed.

## **CURRENT SITUATION**

35. We have seen that Punjab today is virtually under a police siege. The Government has all but appropriated to itself even God's control over His creation, life and destiny. The concept of human rights and civil liberties are totally non-existent. People are shot or detained without trial for long periods. Some are picked up and disappear never to be seen again. Torture in its worst forms has become the order of the day in virtually every police station and interrogation centre. The innocent who comprise the largest majority are frustrated and in vain hope for a political solution for a political problem to which the present rulers have persistently turned a deaf ear. It is all the more unfortunate that evasion of a just settlement of the Punjab problem is because of petty political and communal considerations. A just and fair solution will inter alia require punishment of the guilty for massacring thousands of innocent Sikhs. And how can one expect that from the present government, which is itself responsible for this monumental crime?

36. We have also seen that individual terrorism is the direct consequence of the state terrorism and repressive policies of the government. It is believed that there are four main categories of terrorists operating in Punjab:

- (a) Those young men who are highly motivated and seek achievement of their aim through armed struggle, since the government high handedness, repression and injustice have left no other option.

(b) Anti-social elements like smugglers and robbers who are making use of the situation and masquerading as extremists fighting for the cause.

(c) Government agents, mostly policemen who are on paper dismissed, declared deserters or those in active service given the necessary wherewithal: transport without license plates, body guards, weapons and targets. They operate either through infiltration in the two gangs mentioned above or independently.

(d) A second category of the government sponsored “Sikh militants” are criminals who are grouped to commit to worst of crimes - wiping out families, killing political leaders to turn their parties against the Sikhs. They are given Sikh form and apparel and taught rudimentary knowledge of the Sikh traditions. Majority of the “militants” who surrendered during Operation Black Thunder were from this category.

37. Among certain people state of helplessness and demoralization is so acute that the parents have started disowning their children who have been picked up even though they are innocent. A case in point: When the mother of three young boys was asked to make a report to the higher authorities after one of her sons was taken into custody by the police said in sobs, “ And lose the other two also!”

38. The police seem to be concentrating more on extorting money and indulging in other unlawful activities than in the performance of legitimate role of apprehending the militants and the anti-social elements.

39. The high and mighty in the administration move about in a manner that will put to shame the commanding generals of the occupying forces. The “VIP’s” travel with a number of cars and jeeps, in front and rear, packed with armed personnel and mounted machine guns. It is at once an awesome and disgraceful sight. Imagine the cost of maintaining these public servants!



40. Thousands of young Sikhs languishing in jails suffer indignities and torture and their families the agony of uncertainty, loss and disgrace. The country suffers in a different way. These are the very people who constitute a productive work force in agriculture and industry; in institutions of learning and sports; the military academics and training centres. Those outside prison know not when their turn will come.

41. Whether in Punjab or elsewhere in India the Sikhs are deeply concerned about the safety of the latter. They are being virtually treated as hostages. They are threatened and humiliated. They are ordered to procure “hukamnamas” from Akal Takht, knowing full well that they have no means of doing so, or to suffer social and economic boycott. Sikh students are butchered or kidnapped with the active connivance of police. The recent Bidar (Karnataka) incidents are a glaring example of this form of repression.

42. The Sikh leadership, both political and religious, is being regularly made irrelevant. A person or a group is propped up only to be thrown out and humiliated when it suits government design. A rival is promoted to nullify the first by whatever method, including imprisonment under NSA etc. This game has now become the most prominent government ploy. No wonder, the Prime minister can turn around and say that he does not know whom to talk to. Recall the dozen meetings, bilateral between the Akalis and the Government and tripartite with leaders from Opposition parties before “Bluestar” in two of which agreements were hammered out only to be thwarted by the then Prime Minister at the last moment. In short the government has the capacity and guile to perpetuate and complicate the issues in stark contradiction to the constitutional guarantees, law and principles of justice and fair play. Government has used and manipulated the Akali leadership-mediocre at best of times-to serve its own objectives. But the Akali's share in bringing about the present situation, however, is minimal.

43. Senior Government functionaries have started saying publically, **“We are fighting a war in Punjab. I do not see peace in the State**

**for another fifty years” - J. F. Rebeiro, Advisor to the Government of Punjab.** Here is a clear and unambiguous confession of policy failure.

## **SUMMARY**

44. The solution of the Punjab problem, which due to the acts of omission and commission of the Government and the media, has acquired the dimensions of a “Sikh Problem” and is considered by participants and observers alike as the first major test of Indian federal polity. It is a pity that in dealing with a hardy, industrious, brave and self-respecting people, the present Indian Government has embarked upon a campaign of repression and calumny, motivated by short-term considerations of partisan politics and electoral success for the benefit of Congress (I). This has led to historical denouement unprecedented in the history of Sikhs who have a long memory of resistance to cruelty and repression by the decadent Mughal State or marauding Afghan adventurers like Ahmed Shah Abdali. The Sikhs, particularly those in Punjab, are finding it impossible to come to terms with the fact that in June 1984, the Akal Takhat was destroyed for the first time in history; not by the foreign marauders but by the legions of Indian Army on the orders of an elected government at Delhi.

45. Punjab problem has two basic dimensions that ought to be considered separately; post “Bluestar” phase and the pre-“Bluestar” phase. The attack on the Golden Temple, the holiest Sikh shrine, is an attack on the very foundation of the Sikh religion and the Sikh conscience. The question in mind of every thinking Sikh in and outside Punjab has been that when Jallianwala Bagh massacre, a tragedy of much smaller magnitude, was perpetrated by General Dyer, even an alien Government was forced to appoint an inquiry commission with two Indian members and that commission put Dyer in the dock. Whereas the Indian Army assault resulted in wanton destruction and loss of life many times more than at Jallianwala Bagh, no impartial inquiry has been instituted in free India. This contrast is too disturbing, glaring and humiliating to be forgotten by the Sikhs.

Government attitude and the misrepresentation of the Sikhs by the Indian media make the Sikhs wonder whether they should entertain the hope of being treated as equal and fraternal members of the supposedly secular and democratic country. Clearly, such distracting sense of discrimination is heightened by the fact that the Government talks of release of Jodhpur detenus or punishing the perpetrators of November carnage as ‘concessions’ to the Sikhs to be given at an appropriate time in the process of political bargaining. This is the depth to which the government has descended. Failure by Indian Parliament in not even passing a resolution of regret and sympathy for the victims of November 1984 pogrom is another fact that no Sikh can ignore.

46. The redressal of excesses of operation “Bluestar” and subsequent repression in Punjab is a sine qua non of starting a dialogue with the Sikh community. It is essential first to undo the wrongs of “Bluestar”, “Woodrose” and November 1984 holocaust. Since June 1984, the Golden Temple has been under the control or siege of the police. Now the Government has passed the Act, separating Religion from Politics. This Act strikes at the very root of Sikh religious tradition, which is a congregational religion with a combination of “Miri” and “Piri” doctrines created by the Gurus. Even more necessary than anything else is the undoing of these two steps before anyone can be reasonably convinced that Government is serious to solve the Punjab problem. Only thereafter a stage can be set for meaningful process to deal with the grievances and aspirations of the Sikh community and Punjab. It is also imperative that free and unmanipulated elections to the SGPC in Punjab and Delhi Gurdawara Parbandhak Committee are held as a matter of urgency so that angry Sikh young men can be brought into the political process, at least partially. This, of course, is on the assumption that the government shall take the step of initiating general amnesty for Sikh militants as has been secured for Tamil militants in a foreign land.

47. Far from following a logical and positive course in respect of Gurdawara elections, the Government has been persisting with its manipulative scheme of foisting various Sikh leaders in the Sikh religious places in the vain hope of controlling major Sikh religious

institutions and through them the Sikh masses. Some Sikhs wonder and articulate the thought of shape of India if the Sikhs had not wholeheartedly cast their lot in India. Here only the following facts are worth examining:

(a) The border of Pakistan would have been somewhere close to Delhi without access to Kashmir.

(b) In the tie vote in the constituent assembly between English and Hindi for choice as the link language of the Union, the day was won for the latter not really by the casting vote of Dr. Rajendra Prasad but by the votes of the Akali members of the Constituent Assembly.

## **SOLUTION**

### **TEMPORARY**

48. There can be no two opinions that situation in Punjab requires a sound, long-term political solution. There is the spectre of armed revolution by the militants seeking an independent Sikh Home Land - Khalistan. This extreme step is clearly the result of betrayal, gross injustice and brutalities of the Congress Government against the Sikhs. The policies and actions of the present rulers are increasingly disillusioning even those Sikhs who are against the formation of Khalistan. No Sikh can be a passive on-looker when he sees his community being humiliated, its places of worship destroyed, its traditional institutions decimated and its youth killed or jailed. There is virtually no law to protect the innocent against the cruelties perpetrated by the massive deployment of police, para military and other agencies who seem not to be accountable for their actions. And the black laws shut out recourse to judicial interventions. It is being openly said that time is not far when, in some districts of Punjab, it will be difficult to find Sikh boys for matrimonial alliances for the Sikh girls.

49. It is our considered opinion that the solution to the Punjab problem should be on the following lines:

Firstly, the solemn commitment made before Independence for creation of an autonomous Sikh State within India should be honored. This will largely meet the Sikh aspirations and put an end to agitations, **morchas**, bickerings and ugly situations like the present one. It will also result in India emerging a stronger rather than a weaker country.

Secondly, in order to build a base for the long-term permanent solution, some immediate steps are necessary as a pre-requisite. These are:

(i) General amnesty for all detenus and those detained under various black laws.

(ii) Repeal of all black laws and revoke of the notorious 59<sup>th</sup> Amendment.

(iii) Repeal of the law separating religion and politics. In the long and deeply cherished Sikh tradition of “Miri” and “Pin” concept - one supplements the other and makes for a stronger and more just polity.

(iv) Necessary legal, constitutional and administrative measures should be taken to urgently stop the unconstitutional and ruinous drain of the water and hydel power wealth of Punjab to non-riparian States of Haryana and Rajasthan. Till that is done, the position as on October 1966 should be an accomplished fact not to prejudice the issue.

(v) Boundary between Punjab and the neighboring States of Haryana and Himachal to be on the basis of Sachar/Regional Formula.

(vi) Recruitment to the Defense Services to be strictly on merit and immediate withdrawal of the unconstitutional population formula.

(vii) Setting up of separate enquiry commissions with equal number of Sikhs and non-Sikhs representatives to go into Operation “Bluestar” and November 1984 massacres.

(viii) Over due elections for SGPC and DGPC to be held and control and management of shrines entrusted to them as a matter of urgency.

(ix) Vilification campaign and persistent anti-Sikh propaganda through the Government controlled media must be stopped forthwith.

## **PERMANENT**

50. There being no alternative to the formation of an autonomous state within India, the structure of such a State is what should engage the deliberations of the Opposition leaders. Here is a broad outline to serve as a basis:

(i) It should comprise all contiguous Punjabi-speaking areas without bringing in the consideration of any community. The time- tested Sachar/Regional Formula is ideally suited.

(ii) It must have full internal autonomy with complete control over economy. Only Defense, Foreign Affairs, Communications and Currency to be Central Subjects.

## CHAPTER II

# DEVELOPMENTS SINCE THE PUBLICATION OF “THE SIKH CASE”

### SEMINAR

Since the publication of the booklet “Genesis and Solution of the Punjab problem - The Sikh Case” I wrote as President of the Bharat Mukti morcha (Punjab) in October 1988, many important developments have taken place that deserve the consideration of India watchers and others interested in the Punjab trauma. BMM organized two-day seminar on ‘Analysis and Solution of the Punjab Problem’ was held at Chandigarh on November 5<sup>th</sup> to 6<sup>th</sup>, 1988. Largely attended the seminar was addressed by more than twenty speakers. Whilst the audience was by and large from North India, the speakers were from all over the country. They were all eminent persons and represented major human activities, vis., religious, political, social, human rights, education, law, agriculture and industry.

There was unanimity on all major issues concerning Punjab, different background of the speakers and the participants notwithstanding. These views are briefly summed up below:

- (i) The Punjab problem was a creation of the Congress, which went back on its commitments made to the Sikhs, year after year, for decades before the Independence.
- (ii) Policy of the Congress governments at the Center after Independence was blatantly anti-Sikh. Betrayal, discrimination and injustice, its earlier manifestations during the past few years have, however, receded into background. Its present ugly face includes wholesale massacre of Sikhs, desecration of their places of worship, unlawfully denying freedom and liberty to thousands for without trial, torture, molestation of their

womenfolk, humiliation, intimidation and killings in false ‘encounters’ at a massive scale.

(iii) Draconian laws such as TADA, NSA, and the Special Armed Forces Acts primarily enacted for Punjab have no parallel in any other civilized country. Even the much-hated apartheid South African regime does not have on its statute anything as diabolic.

(iv) When the bill for imposing emergency in the entire country failed, the 59<sup>th</sup> Amendment to the Constitution was passed singling out Punjab, which in the Indian context means deprivation of a person's right to God-ordained life and freedom. It hangs over the Sikh head like the sword of Damocles. The so-called security (in reality, repressive) forces and the police are in effect fully implementing the emergency provisions.

(v) The fact of thousands of Sikhs having been exterminated and incarcerated for years without trial was highlighted by most speakers.

(vi) More Sikhs have been killed by the government in peacetime during the past few years than the total number of Indians killed in the two hundred years of the British rule. This does not include hundreds of thousands who died during country's partition holocaust in 1947. It is a disgraceful record of unpatriotic, corrupt, incompetent and cruel successive Congress governments that have brought the country to such degrading precipice.

(vii) Mr. Ram Jethmalani said, “The Sikh was the most colorful flower in the Indian bouquet I want it to bloom in every nook and corner of India. It should not waste its sweetness in a few districts.” He did not, however, mind if the Slate was renamed Khalistan and is given full internal autonomy so long as it remained in the Indian Union.



(viii) The Punjab has been reduced to the worst form of police and fascist state imaginable. Chapter on Fundamental Rights in the Constitution is no longer applicable to the Sikhs. The United Nations Universal Declaration on Human Rights, to which India is a signatory, is lauded on appropriate occasions by the Indian leaders - President, Prime Minister, et al, with tongue in cheek. In practice, these rights are all but suspended in so far as the Sikhs are concerned.

(ix) Sikhs living outside Punjab are being treated as hostages. They are being humiliated and discriminated against. They are virtually at the mercy of the Congress goons, the police, and other reactionary groups. Government law- enforcement agencies look the other way or actively participate in mowing down the Sikhs.

The above is a brief summary of the proceedings of the seminar, which generated considerable appreciation as well as criticism. Some said that it was a ray of hope; others, that it was secessionist and advocated the creation of Khalistan. Having conducted the seminar, this writer can say without fear of contradiction that the conclusions have been truthfully recorded.

## **THE ESCALATING PUNJAB CRISIS**

The booklet was distributed free of cost to the participants at the seminar and since then to thousands of others throughout the country. The then Prime Minister, Rajiv Gandhi, flaunted it in the Parliament and read some passages out of context. He also made photocopies and circulated to all Congress (I) members and other selected government functionaries. The primary motives were to denounce it and avoid a solution of the Punjab problem. The controversy raised during these months impelled this writer to draft an article "The Escalating Punjab Crisis" with a view to setting the record straight. Therefore, even at the cost of some repetition, it is reproduced below:

“Even though the Punjab problem has assumed such vicious dimensions, the quest for solution must not be given up out of frustration or temporary failures. This article is an endeavor to place before the public basic causes of the Punjab problem and to suggest a solution thereof. The views expressed are mine, and not necessarily that of the Bharat Mukti Morcha, which are broadly contained in the booklet ‘The Sikh Case’. That there is a great deal of commonality in the two is inevitable since I had also authored the latter albeit through consultations with some of my friends in and outside the BMM. Since the Prime Minister has been making highly provocative and baseless allegations in the Parliament against the entire Opposition and specifically against Mr. Ram Jethmalani, the National President of the BMM, by reading out of context some passages from the booklet, the record has to be set right. That the opposition parties protested by boycotting the Budget Session for prolonged periods for the first time in the Parliamentary history of India is another matter.”

“The sovereign Sikh state will be a modern democratic state deriving inspiration from the Sikh ethics of universal love and harmony, of respect for life and the liberty of all men.”

## **HISTORICAL BACKGROUND**

“A brief narration of the circumstances leading up to the partition and independence of India is relevant to clearly show that the Sikhs have an irrefutable claim for an independent Sikh homeland. Remember, the Sikhs were the third successor power at the time of transfer of sovereignty from the British Raj—the Hindus and Muslims being the other two—not because it was the third largest community, for Christians were more numerous, but for other cogent reasons which we shall discuss presently.”

“History is witness to the shameful capitulation and surrender of the Indians to far inferior forces which chose to invade India intermittently for over two thousand years. In the present context, the Congress and the Hindu leadership were prepared to let the whole of Punjab go to Pakistan but for the firm stand taken by the Sikhs. All Muslim majority provinces, including Punjab and Bengal, would have en-bloc gone to Pakistan since

Indian National Congress, led by Jawahar Lal Nehru, had tacitly accepted the Muslim League formula of all such provinces merging with Pakistan.”

“In the process, the Sikhs to the last man, woman and child refused to stay in Pakistan and despite losing hundreds of thousands of lives, leaving behind vast fertile agricultural holdings, flourishing businesses and other properties migrated to India, practically penniless and homeless. Forty percent of the total world Sikh population was uprooted. Agricultural land they lost formed more than seventy percent of the total productive area in the Pakistan Punjab. This colossal sacrifice for the unity and integrity of the motherland is unmatched in the history of mankind. This one factor alone entitled the Sikhs to be recognized for good as the most patriotic section of the Indian population.”

## **BETRAYAL**

“In appreciation of the great historic role, as patriots of India, the Congress made certain commitments to the Sikh community. Formal resolutions to this effect were adopted and promises were made by the leaders, including Mahatma Gandhi and Jawahar Lal Nehru, in their individual as well as collective capacity. The more important ones being:

(a) Carving out an autonomous Sikh state in the North-West of India where they too could “breathe the air of freedom,

(b) The Congress assurance to the Sikhs that ‘no Constitution will be accepted which does not provide full satisfaction to the Sikhs.”

“But soon after Independence they were betrayed on all counts. Let alone the autonomous status, the Sikhs had to struggle for fifteen years after the rest of the country had been reorganized on the basis of language. What they got finally was a truncated unilingual Punjabi speaking Slate minus its capital and large chunks of Punjabi speaking areas. Language based slates were formed throughout India within three years of partition. Since the Constitution did not meet their aspirations and was so inimical to their interests, the Sikh representatives in the Constituent Assembly refused to sign that document.”

“It needs to be recalled that the Sikhs put implicit faith in the bonafides of the Congress and the Hindu majority community right up to the time of Independence and rejected highly tempting offers made by the Muslim League and the British Government. In April 1947, Mr. Jinnah offered an autonomous Sikh State comprising areas lying in the West of Panipat and East of the left bank of the Ravi River on the understanding that this State would then confederate with Pakistan on very advantageous terms to the Sikhs. Master Tara Singh summarily rejected it in consultation with Nehru and Patel.”

“Likewise, in the quest for a solution to the communal problem Mountbatten, Nehru, Liaqat Ali and Baldev Singh were summoned to London for a discussion with the British Cabinet on May 17<sup>th</sup>, 1947. The British Cabinet suggested to Baldev Singh to stay behind to discuss arrangements, which would enable the Sikhs to have political feet of their own on which they may walk into the current of world history. Having divulged this to Nehru and at the latter's behest he flew back with him after giving the following statement to the Press:

‘The Sikhs have no demand to make on the British except that they should quit India. Whatever political rights and aspirations the Sikhs have, they shall have them satisfied through the goodwill of the Congress and the majority community.’

Does one need any further proof of the Sikhs' whole- hearted and unambiguous stand that if the country was to be partitioned they would opt for Bharat? But they were in for the rudest shock!”

“On achievement of Independence, when the Sikh leaders approached Nehru and Patel to honor the commitments, the first said, ‘The situation had changed’ and the second, ‘You have missed the bus.’

Nehru declared that even the Punjabi speaking state would not be conceded ‘whatever the merits,’ and he stuck to his stand till his death. So much for his fair-mindedness! When Prime Minister Shastri appointed Hukam Singh, Speaker, Lok Sabha, as Chairman of the Parliamentary Committee on the formulation of Punjabi Suba in October 1965 and when its report

was nearly ready, Shastri, Indira Gandhi and Gulzari Lal Nanda got to know that it was to be in favor of Punjabi Suba, they tried every possible means to stop him from making the report. Having failed, they forestalled it by agreeing to reorganize Punjab by a vague resolution six days before the report was signed on the 15<sup>th</sup> March 1966. The Parliamentary Committee's conclusion that the Punjabi speaking area specified in the First Schedule to the Punjab Regional Committee Order 1957 to form a unilingual Punjabi State was ignored. Instead, a blatantly communal consideration resulted in the creation of the new Punjab and with that the seeds of discord and communalism were sown. But there was poetic justice or injustice depending on how one looks at it. By leaving out large chunks of Punjabi speaking areas, they created the Punjabi Suba with over sixty percent Sikh majority, whereas, had the Parliamentary Committee report been accepted, there would have been near parity between Sikhs and Hindus. This episode has been narrated in the words of Hukarm Singh in greater detail elsewhere.”

“The worst fallout from the anti-Sikh and discriminatory policy of the Congress and its Government at the Center was the communal divide between the two sister communities - Hindus and Sikhs - who had for centuries lived in perfect harmony and kinship.”

## **A DIABOLIC CONSPIRACY**

Operation “Bluestar” in the wake of Sant Bhindranwale phenomenon and the genocide of the Sikhs after Indira Gandhi's assassination, tragedies beyond words, are manifestations of the confrontation between the Sikh demand for justice and the Government's obduracy to deny them even equality. In fact, the present Punjab is no more than a sub-state and in many ways a mere colony.

It is too well known that when Sant Jarnail Singh Bhindranwale became “too big” for the Congress and Akalis alike and his writ ran throughout the Punjab, the Government hatched a fiendish design to bring the Sikhs to heel. Although preparations for “Bluestar” had started nearly a year before the operation was launched, Rajiv Gandhi, then a general secretary of Congress (I), declared barely a month earlier that “Sant Jarnail Singh was a

man of religion without any political ambition”. Yet a Goebbelsian smear campaign dubbing the Sant a “Khalistani” was persistently kept up to denigrate him and the Sikhs with a view to creating a make-believe situation that there was no alternative to a full-fledged military attack on the Golden Temple complex. Arms build up and fortifications of sorts were under way for months before the invasion. And, police, para military forces and all kinds of intelligence agencies were deployed in large numbers in and around Amritsar. The Government build up is borne out by the following statement in the book “The Sikh Volcano” by Ghani Jafar (p.262):

“That the government willfully allowed the ‘terrorists’ to accumulate their stock of arms and ammunition is borne out by the revelations made by Pritam Singh Bhinder shortly before he quit his position as the Inspector General of Punjab Police when he discovered that he was New Delhi's scapegoat for the Punjab fiasco. In an interview to the two staff correspondents of the Statesman, Bhinder said that the government did have correct intelligence information on the supply of weapons but nothing was done to check it. He revealed that arms and ammunition were carried inside the Temple Complex in **Kar Seva** (voluntary service) trucks meant to carry food and construction material. They were not intercepted because there were oral instructions ‘from the top’ until two months ago not to check any of the Kar Seva trucks.”

It is also pertinent to reproduce an extract from the Statesman dated July 7<sup>th</sup>, 1984:

“The arrival of light machine-guns and sophisticated self-loading rifles had been taken notice of by the various agencies. The information received was so detailed that even the make and the country of origin of the weapons was known . . .”

A mind-boggling scenario! Can any civilized and secular government ever conceive of treachery of this magnitude against its own people? One cannot but come to the conclusion that the evil design was to crush the Sikhs by decimating their religious and social institutions and with the end

objective of breaking their will. There has been no basic change in this policy, minor deviations to suit a particular situation notwithstanding.

The selection of the martyrdom day of Guru Arjan Dev and simultaneous attack on all historic Gurdwaras in Punjab, wanton killing and destruction of priceless heritage, the Sikh Reference library, etc. during Operation “Bluestar”, was only the first major blow. Operation “Woodrose”, genocide of the Sikhs after Indira Gandhi's assassination and reducing Punjab to the worst form of police and fascist state are parts of the same fiendish scheme. Declaring Sikhs a criminal tribe in 1948 and later dubbing all “Amritdhari” Sikhs as terrorists and dangerous people in 1984 had the same aim, vis., deny them their rights and justice; give them a bad name, and hang them!

The draconian laws and the threat of imposition of emergency, legalized by constitutional amendment, together have armed the Government to continue repression. The police can do no wrong. Neither the law of the land nor the Police Act applies to the personnel of Punjab police and the para military in Punjab. They have “god fathers” at various levels of government hierarchy, including Central government to bale them out. Take the example of a district chief Govind Ram who as SSP of District Faridkot committed such excesses that the Adviser to the Government directed in writing that he should not again be posted in an executive capacity. But shortly afterwards he was posted as the head of the newly created police district of Batala where he let loose such reign of terror that even Governor Ray and his Adviser Rebeiro accused him of excesses. But within a week the Director General of Police KPS Gill, an officer under these two worthies, gave the SSP a “clean chit”. That the Governor and his Adviser swallowed it is a pointer to the state of indiscipline in the top echelons of police and indeed its supremacy over the civil administration.

Witness further the case of Mr. Chaman Lal, IGP, who sought transfer because he was not prepared to illegally kill or intern innocent people. It also proves that law and order is no longer an exclusive prerogative of the State Government. These cases are only illustrative. The malady is all-pervasive. Extrajudicial killing, arrests, torture, humiliation, intimidation, molestation and extortion are its other ugly faces. Hardly any police officer

is punished since, among other reasons, “such action could lower the police morale!” It must be a very fragile commodity! Unlawful actions even in the battlefield invites summary general court martial, to award a swifter and sterner punishment to the guilty. The Government policy and police indiscipline have contributed most to the state terrorism and to the complete violation of human rights in the Punjab. The TADA permits arrest of ‘harborers’ of terrorists. Thousand of innocent persons have lost their life or freedom through the misuse of this Act. Yet there are those in the Government who have and are harboring real terrorists. The erstwhile DGP of Punjab J.F. Rebeiro gave shelter in his house at Chandigarh to the killers of two youths in broad daylight. The killers were police personnel in civilian dress. Prime Minister Rajiv Gandhi harbored the planners and executioners of the November ‘84 massacres; some by elevation to cabinet rank ministers! Equality before the law is no longer operative in this land.

The Sikhs comprised nearly forty percent of the Armed Forces at the time of partition after the Muslim soldiers went over to Pakistan. The present policy on recruitment on the population ratio, state-wise, will reduce their strength to an insignificant percentage of around one. Universally considered to be the best practitioners of the art of soldiering, this unconstitutional policy will deprive the country of its best asset for defense. It is the proverbial killing of the goose that lays the golden egg. This reservation formula is highly discriminatory for the Sikhs since they are being deprived of their main source of subsistence besides farming. Even more serious consequence of this policy is to place national security in jeopardy. I make bold to say that the Indian Defense Forces sans Sikhs will not be able to meet the challenge from the West let alone the North. This is what General Niazi, the vanquished General Officer Commanding told a Sikh General in the erstwhile East Pakistan, after his surrender “Had you Sikhras (a derogatory word used in a lighter vein) not been there we would have captured Delhi many times over.”

## **SINISTER TRENDS**

Having played the sob story of an orphan and by maligning the entire Sikh community, Rajiv Gandhi romped home with a massive majority in the December 1984 general elections. Lacking in ingenuity he is again trying



to play the Sikh card by harping upon the Anandpur Sahib resolution and the booklet “The Sikh Case” which have been flaunted by him in and outside the Parliament.

His recent statement that he stopped the post Indira Gandhi assassination massacre of Sikhs within just four days (who started it in the first place?) and that the Sikhs all over India were not allowed to be similarly treated has a very sinister connotation. It clearly shows that the very existence of the Sikhs is under perpetual threat. The more recent Bidar and Jammu anti-Sikh riots are a pointer in the same direction and a result of the persistent propaganda against the community.

September 1988 floods, though a national calamity is a tragic case of criminal dereliction of duty by the government and its officials. Bhakra and Pong dams were allowed to be filled up beyond the danger mark. During the seventy-two hours of incessant rainfall the Bhakra and Beas Management Board remained unconcerned till somebody discovered that if the sluices were not opened the dams may be breached. The gates were then opened suddenly releasing billions of tonnes of water, which rushed down in waves some of which were as high as six feet. Pong Dam on the River Beas was not so much in danger yet there too the same panicky action was taken. The Government made no effort to caution the unfortunate people, mostly Sikhs, through the media and other means. Hundreds of villages and **deras** (hamlets) were washed away and many more severely damaged. A large number of people lost their lives. Over one lakh head of cattle perished. Crop and property losses amounted to thousands of crores. Thousands of hectares of land have become uncultivable because of sand deposits, at some places, many feet high.

Worst still was the callous and indifferent attitude of Central and State governments in providing relief. The then Union Minister for Agriculture Bhajan Lal flew over parts of the affected areas and declared, “the crop damage in certain parts only was four to five percent and that the floods were good for the farmers.” Rajiv Gandhi, weeks later, offered Rs.100 crores as compensation, a ghastly addition of insult to injury. Even that paltry sum was not allotted in full and whatever little was given to the State did not reach the worst affected people. Likewise, the seeds for wheat were

supplied well after the sowing season. A couple of months later the Armenian earthquake tragedy occurred, which was comparable in magnitude to the Punjab floods. We are all aware of the contrast in the crisis management by the two countries. The Soviet Prime Minister immediately rushed to Armenia and every resource, military and civilian, was pressed into service to alleviate the suffering of the affected people. President Gorbachev cut short his historic visit to the U.S.A. and reached the site of disaster to personally supervise relief work. Contrast this with the utterances and actions of the Indian rulers! In fact, the latter exhibited greater concern and acted with more alacrity in sending relief to Armenia than to Punjab!

## **RESISTANCE MOVEMENT LAUNCHED**

Since the full might of the Indian state, Defense Forces, Para-military, Police, Various Intelligence agencies, has been unabashedly used to kill and terrorize the Sikhs, it became imperative to resist the onslaught and help save the community from the ongoing genocide. Consequently, a Movement Against State Repression was launched with Justice Ajit Singh Bains, former Judge of Punjab and Haryana High Court, Mr. Inderjit Singh Jaijee, a former Member of the Punjab Legislative Assembly and this writer as its conveners. Its first all India convention was held at Chandigarh on 25<sup>th</sup> June 1989. A large number of political parties, human rights organizations and social groups from across the country participated. A remarkable feature of this convention was the outright condemnation of the present regime by a number of speakers who had nothing to do with the Sikhs, nor were they directly involved in the Punjab situation. They highlighted the fact that the Punjab problem was a creation of the selfish, partisan and persistent anti-Sikh policies of the ruling party, particularly of Nehru, his daughter and her son who have ruled more as dictators than prime ministers of a democratic country for 38 out of 44 years of 'free' India. The participants also narrated their woeful tales and the ruthless manner adopted by the government to crush people, whose only fault was that they demanded freedom from tyranny.

It was unanimously resolved at the Convention to organize a Peoples' Voluntary Force to help stop the butcheries, including operations which go

by many names, vis., Black Cats, Hit Squads, Vigilante groups, Alam Sena, etc., with police personnel, commandos and hired criminals operating in plain clothes, often in vehicles without number plates.

The author delivered the ‘Key Note Address’ at the Convention, which provided a fair assessment of the Punjab situation (reproduced at Annexure II). It is noteworthy that people have enthusiastically responded to the call for condemning and protesting against state repression.

In its efforts to make the government mend its ways, Movement Against State Repression and Punjab Human Rights Organization ‘**gheraod**’ (cordoned) the Punjab Governor and presented a Memorandum to him on September 30<sup>th</sup>, 1989. This is one of the accepted forms of peaceful forms of protest in India. A record number of political parties and organizations supported this agitation. The **gherao** was foiled by massive deployment of para military and police, barricading of routes leading to and within Chandigarh, over a thousand preventive arrests a day prior and during the actual day of the **gherao** and threatening transport owners of dire consequences if they allowed the use of their vehicles for transporting the peaceful agitators. Notwithstanding hundreds of trucks and buses full of protesters voluntarily tried to converge on Chandigarh from all over Punjab but were stopped on the way by the security forces in compliance with the government directive.

The district magistrate and senior superintendent of police, Chandigarh came to the Police Station, Sector 3, Chandigarh, which was one of the many police stations where about nine hundred leaders and activists were locked up. They took from me the copies of the Memorandum on behalf of the Punjab Governor, who had absconded from Chandigarh on that day. It would be relevant to reproduce an extract therefrom:

“We collectively indict the government for the present state of affairs and demand that:

(a) Extra judicial killings be stopped immediately.

(b) Illegal arrests and torture must be forthwith put an end to.

(c) Illegal arrest of women and their molestation in police custody must be stopped.

(d) Persons arrested by the police must be produced before a magistrate within twenty-four hours as required by Law. Those now in illegal detention must be released forthwith.

(e) Under cover operations such as Black Cats, including police and para military personnel in plain clothes, must be stopped. Likewise, uniformed brutalities must be put an end to.

(f) List of wanted persons by the police must be published so that innocent persons are not killed and then dubbed as terrorists.

(g) All unauthorized weapons with the police and para military forces should be withdrawn so that these are not planted on the victims' bodies in faked encounters.

(h) Un-numbered vehicles used by the police and its under cover agents must not be allowed.

(i) The drama being enacted in case of prisoners who are released or granted bail by the court after great harassment and expenditure they can ill-afford and re-arrested on subsequently trumped up charges must stop.

(j) Inhuman treatment being meted out to the under trials in judicial custody has become order of the day. Many under trials have died because of torture, lack of proper nourishment and medical aid. Jail regulations must be strictly observed.

(k) Erring police officers and men responsible for killing of innocent persons, torture, molestation of women, extortion and intimidation must be suspended and cases registered against them. This will also be in their long term interest, e.g., Govind Ram's son may well be living today had timely action been taken against the

former for scores of his criminal acts as SSP Faridkot and later at Batala.

(I) Draconian laws must be repealed and the para military forces withdrawn as a matter of urgency not only because they are committing crimes but because they are also sapping the economy of the State.”

Lt. Col. Partap Singh, <i>Retired</i> Co-Convener 92/18 Chandigarh	Justice Ajit Singh Bains,, <i>Retired</i> Convener 22/2 Chandigarh	Inderjit Singh Jaijee, <i>EX-MLA</i> Co-Convener 314/44 Chandigarh
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## THE PRIME MINISTER'S INDEPENDENCE DAY SPEECH

In India, it is customary for the Prime Minister to address the nation from the ramparts of the historic Red Fort at Delhi. On the morning of August 15<sup>th</sup>, 1989, Rajiv Gandhi's incoherent and cheap propagandist speech went down as an exercise to incite the majority community against the Sikhs. It became ever more evident that he was determined to play the Sikh card again for electoral gains in the forthcoming parliamentary elections. It prompted the author to write a brief article to inform the people of India and the World community of the shape of things to come. The article is reproduced in original at Annexure 3.

It is also important to note that Gandhi had been playing a double game: (a) to put the Sikhs on the chopping block on the one hand, and (b) to malign the opposition parties as supporters of the latter, the assassins of his mother, on the other. Witness his accusation of Mr. N.T. Rama Rao, leader of Telgu Desam and Chief Minister of Andhara Pradesh, one of the largest state of India as a case in point. On August 19<sup>th</sup> he said that Rama Rao and his party had “joined hands with the killers of the late prime minister, Indira Gandhi.” He went on to say that “she was the symbol of unity and integrity of the country and we will not allow her killers and their allies to continue their activities in the country any more.” As everyone knows she systematically destroyed the country's democratic institutions, promoted personality cult and the family rule, split the Congress Party and planted

the seed for disintegration of India. A more diabolic aspect of her performance as the Prime Minister of the so-called largest democracy was to use the state apparatus to do in the most patriotic section (Sikhs) of the Indian society reminiscent of Stalin and Hitler eras. Rajiv Gandhi never tires of praising her as the epitome of national integration! But then Rajiv Gandhi and truth parted company as soon as he came under her political influence.

The loss of the Indian Prime Minister's credibility is total. Therefore, when his advisers tutored him not to entirely depend on the Sikh card, he would even resort to some additional drastic measures of imposition of emergency and postponement of elections by half year at a time permissible under the Constitution were the pointers to that direction. Of course, there was a softer option that in the event of a revolt in his party, he would leave India lock stock and barrel a la Marcos and Imelda. Everybody knows about his ill-gotten wealth stashed abroad.

## **SOME CONCLUSION**

Responsibility for the partition of India squarely lies with the Congress and its chief actor at that time, Nehru. Cabinet Mission Plan, which would have kept the country united under a truly federal system, approved both by the Congress and the Muslim League, was ideally suited. Nehru sabotaged it for the meanest ambition to become the Prime Minister albeit that of the vivisected India. He has confessed this in his weak moments. Millions of people on both sides of the border would not have perished or forced to leave their hearths and homes. There is, therefore, no doubt that the very concept of a United India was blasted by Nehru, the grandfather of Rajiv who keeps harping on the unity and integrity being undermined by the Opposition, particularly the Sikhs. Had the promised autonomous status been given to the Sikhs within the Indian Union and the Constitution framed to safeguard minority interest there would have been no agitations. Operation “Bluestar”, genocide of the Sikhs, the draconian laws enacted for Punjab with the primary aim of administering fatal blow to their socio-religious consciousness and to break their will, India would have been militarily and economically much stronger.

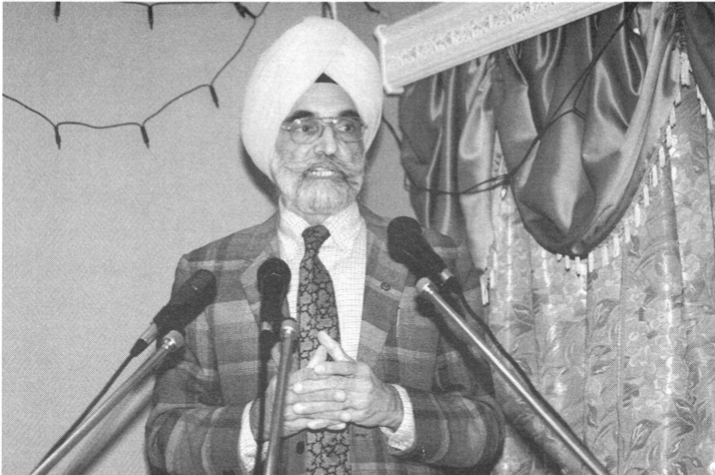
Successive Congress governments have pursued blatantly anti-Sikh policies. Ever since Independence, the Sikhs have been perpetually betrayed and discriminated against.

Persistent anti-Sikh propaganda through the controlled media and other means to show to the Indians and the International community that the Sikhs as a whole are terrorists and deserve to be treated harshly.

Justice and equality for the minorities would have made for a cohesive and secular polity. There would have been few agitations and riots, thousands of innocent lives would have been saved and hundreds of thousands who have been imprisoned for short or long terms would not have lost their freedom.

The Sikh militancy is the direct outcome of the persistent atrocities, repression of the community and denial of justice.

On the Independence Day (August 15<sup>th</sup>, 1989), the undeclared war against the Sikhs assumed a new and more diabolic dimension. Sikhs will suffer more but so will India for which they have sacrificed by far the most.



The author addressing congregation at  
Gurdwara, Oslo (Norway)

## CHAPTER III

# STORY OF BETRAYALS

### UNIFYING ROLE OF SIKH FAITH

One of the saddest fall-outs of partisan politics in the 'free' India is the Hindu-Sikh divide. Although both are separate and sovereign religions, for all intents and purposes, they had lived as one community for nearly five hundred years. There was intermarriage between the two communities, they broke bread together, as the saying goes, and in North India went to the **Gurdwaras** (Sikh temples) for prayers with equal reverence. As mentioned in Chapter I, by and large the Hindus regarded the Sikh Gurus as their own. The great modern seers and patriots, Swami Vivekananda, Aurobindo Ghose, Rabindra Nath Tagore, Veer Sarvarkar, Pandit Madan Mohan Malviya and Rajnish (Osho) eulogized the Gurus and pronounced Sikhism as the real flowering and quintessence of Hinduism. Guru Granth Sahib, the World's most catholic of religious scriptures, is the very essence of Vedanta besides indeed incorporating various other schools of philosophy, Sufyism in particular.

**Guru Nanak** (1469-1539) the founder of Sikhism in his numerous **shabads** (hymns) leaves no doubt about the distinct identity of the new faith; not just a reformist movement, a breakaway sect of Hinduism or an integrator of the somewhat antagonistic Hindu and Muslim ideologies.

He laid great stress on **Simran** (contemplation on the name of God), **Kirt** (engagement in productive and honest work) and **Vand Shakna** (sharing of the fruits of honest labor with fellow human beings). Nanak's nine successors consolidated his mission, preaching his basic ideology and developing Sikh institutions.

Execution of the Fifth Guru, Arjan Dev, after brutal torture on orders of the Mughal emperor, Jahangir, introduced a new dimension in the Sikh ethos,



i.e., the martial character. His son and successor Guru Hargovind fought many battles against the Mughals and won them all. The Tenth Master, Guru Gobind Singh, too was engaged in many battles with Mughal feudatories, the Hindu Rajas of Shivalik Hills, as well as the Mughal armies.

He also formally instituted the **Khalsa Panth**, the commonwealth or brotherhood of the Sikhs, ended the “**guruship**” reposing it in the Guru Granth, gave the Sikhs distinct physical identity by keeping **keshas** (unshorn hair) and the four other “K’s”. He prescribed **rehat maryada**, practice and tradition, to guide the Sikhs in their day-to-day conduct.

It is perhaps the Sikh confrontation with the latter day tyrannical Mughal regime, not because Guru Nanak was born in a Hindu family as were his three successors, till they were initiated into Sikhism, (all the other six successors were born Sikh), but the common features of the **Vedanta and Gurnat** and the fact that the Hindus were equally the victims of discrimination that a degree of mutuality of interests developed among the two communities. The Sikhs got to be known as the sword arm of Hindustan. They enthusiastically played this role at tremendous sacrifices to protect the country from the legions of invaders in their frequent, unending and barbaric raids from the Northwest besides resisting internal onslaught of the Mughal rulers.

But the very foundation of this remarkable Hindu-Sikh unity, briefly discussed above, was to be rudely shaken soon after India became Independent. An attempt is made in this chapter to analyze the genesis of the divide and its disastrous effects.

From the above discussion an impression may be created that the Hindus were the nursery of Sikhism and the Muslims did not embrace this faith. In actual fact, the Sikh Gurus did not subscribe to Hinduism any more than to Islam. Guru Nanak addressed himself equally to both the communities and in numerous verses, enshrined in the holy **Granth**, guided them in general and their religious leaders, the **Pandits and Maulvis** in particular to comprehend the true spirit of their respective religions and fashion their lives accordingly. His very first pronouncement after he obtained divine

inspiration and mission was: “There is no Hindu, there is no Mussalman,” highlighting one-ness of mankind.

During his visit to Mecca, he was asked by the **Qazis** as to who was better, a Hindu or a Mussalman? The Guru's reply was “Without good and pious deeds both would come to grief.” He was also a great synthesizer and reformer. Both communities admired and revered him. A popular saying of that era was “Lord Nanak, the Faqir, was Guru of the Hindus and the Mussalmans' Pir.” His first disciple who accompanied him during his four major odysseys was a **Mardana** (Muslim).

Influence of Sikhism on the Muslims was equally remarkable. Many among them became devoted disciples of the Gurus and embraced the new faith. When the Sixth Nanak, Guru Hargovind and the Tenth, Guru Gobind Singh had to take up arms to fight the repressive regime in Delhi and their subsidiary Rajput Rajas, a large number of Muslim volunteers fought on the side of the Gurus. An outstanding example of their devotion and loyalty was exhibited when **Pir Badrudin Shah** (affectionately called Pir Budhu Shah) fought with the bulk of his forces on the side of Guru Gobind Singh and lost two of his sons and about five hundred Muslim soldiers in the battle. It shows clearly that there was no clash or confrontation among the members of three communities, Hindus, Muslims and Sikhs, during the Guru period.

Guru Hargovind who initiated the concept of double sovereignty and symbolically wore two swords “Meeri” and ‘Teeri” to assert complete temporal and spiritual freedom for his followers, the Sikhs. In a way he espoused the cause of every citizen's freedom from state repression and slavery. Establishment of the **Akal Takht**, (The Throne of the Timeless) directly in front of the **Harmandir Sahib** (Golden Temple) is an extension of the same philosophy. Three more Takhts were established later by Guru Gobind Singh covering the entire country, viz., **Anandpur Sahib in the North, Patna Sahib in the East and Hazoor Sahib** (Naded) in the South. Logically, therefore, confrontation with the mighty Mughal power was inevitable. On the other hand the very location of these Takhts highlights the Gurus' perception of the geographical area of Sikh influence and, as a

corollary, that whole of per-partition India was, in fact, a Sikh homeland inasmuch as it was that of Hindus and Muslims.

Reverting back to the Muslim-Sikh commonality another very important episode was the large number of Muslims who joined Banda Singh Bahadur's forces in the fight against oppressive Mughal rule. Because of the land reforms and other social measures initiated by that great warrior, many Mohammadan chieftains as well as ordinary persons, particularly the farmers, embraced Sikhism.

It is important, however, to record that Sikhism is a sovereign, prophetic and distinct faith, inasmuch as Christianity is from Judaism, notwithstanding that Christ was born a Jew. The close Hindu-Sikh relationship has resulted in two distinct attitudes. The Hindus' effort all along has been to treat the Sikhs as part of Hindus whilst the latter have zealously guarded their separate identity. This dichotomy has been at the root of many latter day problems between the two communities. It, therefore, deserves a brief analysis for a proper comprehension of the present Hindu-Sikh divide.

In the five hundred years of Sikh history there has never been any case of forcible conversion. When a Hindu joined the **Khalsa Panth** he considered himself an elevated one and everybody else, including the Hindus, felt the same way. The basic teachings of Sikhism, the moral commitments made at the time of baptism and especially the concept of double sovereignty brought about major attitudinal and psychological changes in the initiate. He automatically placed himself in the role of a **Sant-Sipahi** (Saint-Soldier), a basic precept of Sikhism. It resulted in the Sikhs being by far the most patriotic of Indian communities. Figures given at the end of chapter eleven inside title cover leaves no room for doubt, i.e., 77.5 percent sacrifices by 1.6 percent of the pre-partition India's population. But these qualities of valour and chivalry have unfortunately lost their significance, thanks to the successive governments in the country headed by selfish, incompetent and corrupt people. Lest this statement be misconstrued, a brief reflection on the character of these leaders is appropriate.

## RESPONSIBILITY FOR INDIA'S PARTITION

Jawaharlal Nehru, the first Prime Minister of India was primarily responsible for the partition of the country. This is amply borne out by incontestable historical facts. Maulana Abdul Kalam Azad, a former President of the Indian National Congress and a Cabinet Minister in the Nehru Government, has clearly brought out in his book "India Wins Freedom" how the latter's obsession for becoming Prime Minister was a primary factor for breaking the country's unity and territorial integrity. That millions of people on both sides of the border were uprooted from their hearths and homes and hundreds of thousands perished in the largest ever migration in the history of mankind was of little consequence to him. Only a soul-less person could have carried this monumental sin for nearly two decades after the event. His other blunders are the creation of Kashmir and China problems. These two tragedies have cost the country dearly, in loss of territory and human life besides bringing dis-honor to the nation.

We have already touched on his blatant betrayal of the Sikhs by promising them a special set up in the Indian Union before Independence and then not only going back on his commitment but denying them even equal status on par with the other States. He is on record stating that the Punjabi speaking state will not be acceded to "whatever the merits". At various times he had poured out his venom against the Sikhs and the Punjabi speaking state - sample: "When you speak about Sikhs, I close my ears"; and further "Punjabi Suba over by dead body". And as long as he lived, he ensured that it did not materialize. This one instance is by itself sufficient proof of his communal and anti-secular mentality. There are indeed many other examples, vis., his statement that every street in the towns and every village of Punjab were bi-lingual; a deceitful maneuver and an incitement to the communalists. There is no village, far less a street, where Hindi is spoken in that part of the Punjab which constituted Punjabi speaking region under the Sachar/Regional Formula and which should have naturally become the Punjabi speaking state.

Let us revert to Nehru's role in the partition of India Perhaps the most important single event in the long history of struggle for independence was appointment of the British Cabinet Mission which comprised of three

eminent members, namely, Lord Pathic-Lawrence, Sir Stafford Cripps and Mr. A.V. Alexander. They arrived in India on March 23<sup>rd</sup>, 1946 and held wide-ranging talks with the Indian leaders from major political parties and many other prominent personalities for the next seven weeks. The Cabinet Mission proposed a plan for the transfer of power, which interalia ensured the unity and integrity of India. Prime Minister Attlee announced the Plan in the House of Commons on May 16<sup>th</sup>. Both the Congress and the Muslim League accepted the plan, which appeared also to have overcome the hostile communal feelings. But that complacency was short-lived. Maulana Abdul Kalam Azad painfully records in his book **India Wins Freedom** (P.164-166):

“Now happened one of those unfortunate events which change the course of history. On 10<sup>th</sup> July, Jawaharlal held a press conference in Bombay in which he made an astonishing statement. Some press representatives asked him whether, with the passing of the Resolution by the AICC, the Congress had accepted the Plan in toto, including the composition of the Interim Government.”

“Jawaharlal in reply stated that Congress would enter the Constituent Assembly ‘completely unfettered by agreements and free to meet all situations as they arise.’

Press representatives further asked if this meant that the Cabinet Mission Plan could be modified.

Jawaharlal replied emphatically that the Congress had agreed only to participate in the Constituent Assembly and regarded itself free to change or modify the Cabinet Mission Plan as it thought best.

The Muslim League had accepted the Cabinet Mission Plan only under duress. Naturally, Mr. Jinnah was not very happy about it. In his speech to the League Council, he had clearly stated that he recommended acceptance only because nothing better could be obtained. His political adversaries started to criticize him by saying that he had failed to deliver the goods. They accused him that he had given up the idea of an independent Islamic State. They also taunted him that if the League was willing to accept the

Cabinet Mission Plan - which denied the right of the Muslims to form a separate State-why had Mr. Jinnah made so much fuss about an independent Islamic State?"

"Mr. Jinnah was thus not at all happy about the outcome of the negotiations with the Cabinet Mission. Jawaharlal's statement came to him as a bombshell. He immediately issued a statement that this declaration by the Congress President demanded a review of the whole situation. He accordingly asked Liaqat Ali Khan to call a meeting of the League Council and issued a statement to the following effect: 'The Muslim League Council had accepted the Cabinet Mission Plan in Delhi as it was assured that the Congress also had accepted the scheme and the Plan would be the basis of the future constitution of India. Now that the Congress President had declared that the Congress could change the scheme through its majority in the Constituent Assembly, this would mean that the minorities would be placed at the mercy of the majority. His view was that Jawaharlal's declaration meant that the Congress had rejected the Cabinet Mission Plan and as such the Viceroy should call upon the Muslim League, which had accepted the Plan, to form the Government.'"

The Muslim League Council met at Bombay on July 27<sup>th</sup>. Mr. Jinnah in his opening speech reiterated the demand for Pakistan as the only course left open to the Muslim League. After three days' discussion, the Council passed a resolution rejecting the Cabinet Mission Plan. It also decided to resort to direct action for the achievement of Pakistan."

"Nehru's statement was a virtual sabotage of the plan and despite subsequent efforts to salvage it, Jinnah steadfastly refused to accept the position and held that Jawaharlal's statement represented the real mind of the Congress. He argued that if Congress could change its stand so many times, while the British were still in the country and the power has not come to its hands, what assurance could the minorities have that once the British left, Congress would not again change and go back to the position taken up by Jawaharlal's statement (*ibid*, p. 167)."

This statement of Jinnah is prophetic in so far as another minority, the Sikhs, are concerned.

All subsequent efforts to keep India united became abortive. Lamentably the Maulana cried - "On 26<sup>th</sup> April 1946, I issued a statement proposing his (Nehru's) name for the Presidentship and appealing to Congressmen that they should elect Jawaharlal unanimously. I acted according to my best judgment but the way things have shaped, since then, has made me realize that this was perhaps the greatest blunder of my political life. I have regretted no action of mine so much as the decision to withdraw from the Presidentship of the Congress at this critical juncture. It was a mistake, which I can describe in Gandhiji's words as one of Himalayan dimension.

"My second mistake was that when I decided not to stand myself I did not support Sardar Patel. We differed on many issues but I am convinced that if he had succeeded me as Congress President he would have seen that the Cabinet Mission Plan was successfully implemented. He would have never committed the mistake of Jawaharlal, which gave Mr. Jinnah the opportunity of sabotaging the Plan. I can never forgive myself when I think that if I had not committed these mistakes, perhaps the history of the last ten years would have been different."

It is significant that unlike Jinnah, who read the writing on the wall, the Sikh leadership continued to repose trust and faith in Gandhi, Nehru, Patel and other Congress leaders. We have already recapitulated in the previous Chapter how Jinnah's overtures to Master Tara Singh and that of the British Government to Baldev Singh were rejected out of hand. Their blind trust eventually led to untold sufferings and death to hundreds of thousands of their already small number during the partition and in the recent years. Betrayal of the Sikhs has assumed the dimension of slavery for them. A case of sins of fathers visiting upon their children!

This digression from the main theme of the creation of the Punjabi speaking state is important because of the relevance of the character of the man who was the principal actor in breaking up of the country and its prime minister during the first seventeen years of its independence. Since his successors, Shastri, Indira Gandhi and Rajiv Gandhi, swore by his policies and no doubt bent their energies to implement them, let us also examine their part in this sordid drama. There is no better record of the betrayal of the Sikhs vis-a-vis the formation of the Punjabi speaking state

than that narrated by Hukam Singh, the erstwhile Speaker of the Lok Sabha (House of People in the Indian Parliament) who was hailed by one and all as one of the finest and most impartial Speakers. It is reproduced without any addition, subtraction or modification!

## **BETRAYAL OF SIKHS BY HUMAN SINGH FORMER SPEAKER LOK SABHA**

“Within a year after the independence, Punjab was to be betrayed and discriminated again on the linguistic issue. While all the remaining states of India were given their constitutional right to their language within a linguistic state, this was denied to Punjab. To quote Pandit Nehru's remark in 1948, ‘ . . . whatever the merits of such a proposal might be.’ While Nehru was known for his flexibility, on the Punjab issue, he remained stubbornly dogmatic and negative. This became the future policy. Nehru stuck to it for sixteen years. Shastri continued the same policy and Indira Gandhi has made no departure.”

“After denying this fundamental linguistic right for many years, prime minister Shastri appointed a Parliamentary Committee, in October 1965, under my chairmanship, to prepare a report on the Punjabi Suba issue. This was done in accordance with the fresh promises made to the Sikhs during the September 1965 war with Pakistan. The intention of the Government then was to use me against my community, secure an adverse report, and then reject the demand, even after 18 long years of deliberate, frustrating delays. When my report was nearly ready, Mrs. Indira Gandhi went to Mr. Chavan and said she had heard that Sardar Hukam Singh was going to give a report in favor of Punjabi Suba, and that he should be stopped . . . Lal Bahadur Shastri continued the policy of Jawaharlal Nehru, and was dead against the demand of Punjabi Suba, as was Nehru. So, when he was urged by Mrs. Gandhi to stop Hukam Singh, he did not waste any time. Mr. Shastri called Mr. Gulzari Lal Nanda, then Home Minister, to his residence, and conveyed to him the concern about the feared report. Every effort was made by Mrs. Gandhi, Mr. Shastri and Mr. Nanda to stop me from making my report. But when nothing succeeded, the Congress forestalled the Parliamentary Committee Report by agreeing to reorganize Punjab by a vague resolution dated March 9<sup>th</sup>, while the committee report



was signed on March 15<sup>th</sup>, 1966, a week later. It was a deliberate attempt to by-pass this Committee, and undermine its importance.”

“The Parliamentary Committee had come to these conclusions:

(i) The present State of Punjab be reorganized on a linguistic basis;

(ii) The Punjabi region specified in the First Schedule to the Punjab Regional Committee Order, 1957 should form a unilingual Punjabi State.”

“The Government by-passed the Committee and forestalled its report. The subsequent reference to the Shah Commission was loaded heavily against Punjab. Making the 1961 Census as the basis and the tchsil (instead of village) as the unit was a deliberate design to punish the Sikhs. The language returns in the 1961 Census were on communal lines when Punjabi-speaking Hindus falsely declared Hindi as their language. Consequently merit was again ignored and justice denied. Naturally tensions between the two communities increased. If Punjabi Suba had been demarcated simply on a linguistic basis, and not on false returns of 1961, there would not have been any extremist movement. Tension between Hindus and Sikhs in Punjab is bound to continue unless the communal section of Hindus see wisdom and retrace their steps by acknowledging Punjabi, then a sense of Punjabi identity would have grown and suppressed Hindu and Sikh communalism. Those Hindus, who lied in the census, betrayed their Sikh brothers, betrayed their language and culture and betrayed their own ancient land of Punjab and were responsible for its division on Hindu-Sikh basis.”

“The present agitation was started by one section of the Akalis, but the coercive and repressive policies of the Punjab Government has united all the different groups of Sikhs behind the morcha. The indiscriminate murders of innocent young Sikhs under the false pretext of encounters, and harassment of women and children, relatives of the hunted persons, wanted by the police under real or cooked up charges, pushed all these families into a mass satyagraha, which so far has fortunately remained peaceful, despite many political and communal provocations.”

“Gandhi and Nehru had made personal promises to Sikhs before freedom, but soon after the independence they embarked on the long term program of anti-Sikh politics and policies. Thirty-five years later, there is no end to it in sight. The Government has never seen merit in any Sikh demand. Government has always felt encouraged in this direction by some extremist Punjabi Hindus who have always betrayed their Sikh brothers by opposing their constitutional demands however fair and justifiable they may be. If the facts of the Punjab problem were to be truly understood by the Hindus, from outside Hindi belt, they will feel ashamed of the action of their fellow Punjabis (now supposedly Hindi-speaking) Hindus and perhaps even disown them. I pray for the day when Hindus and Sikhs will again be united as one force.”

Biography of S. Hukam Singh  
By Partap Singh (P.175-177)

## **PUNJAB REDUCED TO A COLONY**

The successive governments at the Centre have exhibited anything but a value based, ethical, just and fair approach to the formation of an autonomous Punjabi speaking state. In essence, its denial is the primary cause for discriminations against and persecution of the Sikhs.

Indira Gandhi's role in preventing the creation of the Punjabi-speaking state is well documented by Hukam Singh. Her animosity against the Sikh community is apparent from her utterly uncalled for full-fledged military attack on the Golden Temple and other historic Gurdwaras followed by the mopping up operation “Woodrose”. (For details refer to the Chapter headed *A MILITARY OPERATION CODED-NAMED “BLUESTAR”*).

In so far as Rajiv Gandhi is concerned the less said the better. He lacked political insight to know what was good or bad for the country. He had, however, made a quantum jump in dismantling the democratic structure of his country started deviously, to begin with, and more viciously during the later period of his mother's rule. His only comment on the formation of linguistic states, so far as I remember, is that this policy, of the Indian

National Congress, was the worst thing that happened to India. But he was too small to change it and re-order the political map of the country.

Gandhi surreptitiously signed an accord with the three Sikhs, namely, Sant Harchand Singh Longowal, Surjit Singh Barnala and Balwant Singh, who ostensibly represented the community. Merits of these gentlemen, arrogantly appropriating to themselves the conscience and agony of the Sikh people, are not immediately relevant to this study. What is pertinent is the clauses of the accord that relate to the territorial adjustment of the Punjabi Suba. Clause 7.1 lays down that Chandigarh (the Punjab Capital) would go to that state. But, in lieu, Haryana would be compensated by simultaneous transfer of some Hindi speaking territories in Punjab because Smt. Indira Gandhi had so desired! Such territories would be determined by a commission, on the basis of contiguity and linguistic affinity with village as a unit (Clause 7.2) The actual transfer was to take place on January 26<sup>th</sup>, 1986. Under clause 7.4 a separate commission was to be appointed later to go into over all territorial adjustment! A more dishonest and mischievous device would be difficult to conceive.

In Chapter I, we have already highlighted the utterly discriminatory provision of 'compensation' when the incomparably better developed state capitals, vis., Bombay, Madras, Shimla and Shilong were not made bargaining factors for their incorporation into the States in which they happened to be geographically located. By itself this single point makes mockery of the accord. But let us proceed. Under this clause, certain Hindi speaking areas falling within Punjab were to be handed over to Haryana. Under its provisions a Commission (Justice Mathews) was appointed and his report was that he could not specify any areas, which Punjab should hand over to Haryana. Any just and fair government would have immediately handed over Chandigarh to Punjab to which it had originally belonged. But not when Rajiv Gandhi's Congress Government was in the picture. The transfer was to take place on January 26<sup>th</sup>, 1986. As per instructions, the administrative requirements, massive in the work involved, were completed. Even the employees of the Union Territory had been paid their salaries and other emoluments up to January 25. Everybody awaited the final verdict till the last moment. Both the Governor of Punjab and the Chief Commissioner of Chandigarh were standing to, not knowing

who would take the salute at the Republic Day parade next morning. And, a while before midnight came the directive that the city would continue to be a Union Territory. That is where it still is!

Any fair-minded person would infer from this just one instance that the Prime Minister, who personally signed the accord, was not in the least concerned about his personal honor, loss of credibility of his government and down right betrayal of a community. In order to salvage some of his and that of his government's image two more Commissions headed by Supreme Court Judges were appointed one after the other to still look for areas, which Punjab should make over to Haryana. The latter came out with an astonishing recommendation that Punjab hands over seventy thousand acres to Haryana in lieu of Chandigarh without any basis and in complete contradiction of the terms of reference. Sikhs rejected it with the contempt it deserved.

But this is not the end of this fairy tale. There was the all embracing provision in the accord (Clause 7.4) for the appointment of a separate commission which would go into the whole gamut of territorial claims and would adjudicate which Punjabi speaking areas in Haryana would go to Punjab and the Hindi speaking areas in Punjab to Haryana. A bewildering situation would have arisen had the two Commissions come to contradictory conclusions in respect of some areas or villages. But then, Rajiv Gandhi was hardly serious about implementing the Accord. For clause-by-clause study of the Accord see Chapter V. However, some very glaring conclusions can be drawn for the posterity.

First, Rajiv Gandhi and the government he heads could not be trusted and relied upon even when he makes solemn commitments. Second, the three Sikh leaders who signed the Accord on behalf of the Sikhs had learnt nothing from history and fell into the Congress trap as the pre-partition Sikh leadership before Independence. And, thirdly, no matter what admittedly the most patriotic Sikh community has done for India, it will always be suspect in the eyes of the Congress and, thanks to its persistent and diabolic anti-Sikh propaganda, the majority community. The last inference is potentially the worst fallout and the country, as well as the Sikhs, is doomed unless there is radical change in the government policies.

So that is where the vital issue of the creation of a full-fledged autonomous Punjabi speaking state rests. Besides some other equally important issues such as the river waters and hydel power, it should be reconciled before a meaningful dialogue could be held between the Indian government and the Sikhs.

## **PUNJABI HINDUS TURN ANTI PUNJABI**

This study will be incomplete if a very sinister communal factor introduced into the politics of Punjab, i.e., renunciation of their mother tongue by the majority of the Punjabi Hindus is not probed. Its implication and fall out have been the almost irretrievable Hindu-Sikh divide for the first time in history and, consequently, segregation and alienation of the Sikhs. The palpable falsehood that mother tongue of the Punjabi Hindus was Hindi was openly propagated from the fundamentalist Hindu organizations and their Jalandhar based vernacular press. Its import was loud and clear, that is, seventy percent of the Punjab population spoke Hindi and only thirty percent population spoke Punjabi, a stratagem to counter the demand for the creation of Punjabi speaking state. In reality these percentages reflected the exact proportions of Hindu and Sikh residents. Whilst Hindus were concentrated in the eastern region of the state, both in the urban as well as rural areas, the Sikhs were predominant in the Punjabi speaking heartland in the western region, especially in the rural areas. During the 1961 census almost the entire Punjabi speaking Hindus recorded their mother tongue to be Hindi. The Central Government, always on the look out for excuses to deny justice to the Sikhs, continued to harp on the 1961 census and made it a basis for determining percentages of Punjabi and Hindi speaking people. And, in the process not only the inalienable right to the formation of such state was inordinately delayed but, even more reprehensibly, multi-pronged propaganda blitz was launched to stigmatize the Sikhs as being communal, even anti-Hindu, and therefore anti-national.

The disowning of the mother tongue was responsible for not only creating an unholy wedge between the two communities but had far-reaching implications, not excluding the integrity of India. It assumes the character of “original sin”. The promised autonomous Punjab was the first casualty. The truncated Punjab, speaking state acceded to after fifteen years of

struggle was its other manifestation. Its other ramifications were the calculated anti-Sikh policies which led to the; numerous agitations launched by the Sikhs, Operations “Bluestar” and “Woodrose”, genocide of the Sikhs in 1984, enactment of black laws whereby hundreds of thousands of innocent people have lost their life and liberty, complete suspension of human rights and indefinite President's rule in the Punjab.

Although of recent origin, the anti-Sikh attitude of the majority of Punjabi Hindu; has assumed a near permanent character. The Centre has played an unholy but effective part in bringing about this situation. In fact, the two have acted in perfect unison as against a common “foe”, the Sikhs. Any stick is good enough to beat them. Encouragement of Nirankaris, a newly founded deviationist and reactionary sect of the Sikhs, whose stock in trade is to denigrate the Sikh Gurus, their scriptures and institutions, is one instance. Murder of thirteen unarmed Sikhs by Nirankaris at Amritsar on the Baisakhi day (13<sup>th</sup> April, 1978) using firearms against an unarmed Sikh deputation and getting away with it is another. To put the historical record straight it must be mentioned that Sant Jarnail Singh Bhindranwale, head of the ancient Sikh missionary seat, Damdami Taxal, founded by Guru Gobind Singh himself, emerged on the scene as an anti-Nirankari campaigner and champion of fundamentalism. Although he took exception to distortion of the Sikh tenets by them there was absolutely nothing that he said or did to malign Hinduism. Notwithstanding, the government helped the Nirankaris in every way for the only reason that the latter had tried to distort the Sikh scriptures and tarnish the Sikh image.

Another serious consequence of the Hindu-Sikh cleavage is the complete dis-association of the Hindu community from any proposals and agitations mooted by the Sikhs even for purely secular and economic demands. Akalis have been often blamed by Hindus of Punjabi origin, particularly those settled outside Punjab, for not carrying Hindus with them in their protestations. Regrettably, it is well nigh impossible. The latter have consistently exhibited their extra-territorial communal loyalty. They would support, if not champion, the cause of other neighboring slates against Punjab. That is a great misfortune. Central Government thus has a willing ally to deny to Punjab its legitimate and just demands thereby isolating the Sikhs to fight with one hand tied at the back! It is to be hoped, however,

that in time to come Punjabi Hindus will re-orientate their thinking as, of late, they too are being discriminated against in those very states.

Mainstay of the trading community in the Punjab, which is almost entirely Hindus, is concentrated in towns and cities, is the farming community who are mainly fikfas. Potentially the most drastic economic blow delivered by the Centre to the Punjab, is the unconstitutional and unprecedented usurpation of control and distribution of river waters to non-riparian states of Haryana and Rajasthan and hydel power, which will thoroughly impoverish the Punjab farmers with equally serious repercussions on the affluent trading community. Yet, the latter is least concerned about this all-important issue, further substantiating the supremacy of communal consideration over all others.

There is a popular saying in rural Punjab about a father's advice to his school pang son, "I don't care if you fail but make quite sure that your cousin does not pres." How close it is to the Punjabi Hindus approach to the Punjab problem!

An ironical aspect of the crisis is that whilst the Sikhs demanded a Punjabi peaking state where they would have parity with Hindus, what they actually got as a state with over sixty-two percent Sikh majority. While the government and majority of the Hindus want Punjab to cede some more areas to Haryana, the Sikhs clamor for the re-incorporation of the Punjabi speaking areas, mostly inhabited by Hindus, which have been forcibly amputated. Sikhs have persistently demanded the merger of those areas into Punjab. Even this demand is dubbed as communal and has been thwarted by the successive prime ministers!

Nehru did not even allow a discussion on the issue of the creation of a Punjabi state. His daughter, Indira, hit upon a plan to make it a mere colony, with communal undertones and later awarded the Tehsils of Abohar and Fazilkat to Haryana in lieu of Chandigarh, the state capital. It was a blatantly communal tension because the bulk of the population of these tehsils is Hindu, since this award was transparently partisan, and utterly without precedent, the Sikhs rejected it. But the damage had been done. In all subsequent endeavors to resolve the problem and, among other

things, to make Chandigarh exclusively the capital of Punjab somebody or other from the Central and Haryana governments would demand for compensation. As discussed in the Chapter on “Bluestar” nearly a dozen meetings held between the Central Government and the Akalis as well as tripartite involving other opposition parties from January 1982 to early 1984. On two separate occasions solutions were hammered out but Prime Minister Indira Gandhi would get cold feet and change her mind at the last moment. Thus followed a series and by the Sikhs and a hardening of attitudes on all sides.

## **ROLE OF THE PRESS**

It is unfortunate that the “free” Press of India has not covered itself with glory when dealing with Punjab in its hour of crisis. Indeed some journalists in their individual capacity have been fair and objective. But the majority of the newspapers and journalists have always “tilted” towards the majority community. Their communal predisposition has, in a large measure, been responsible for augmenting the Hindu - Sikh divide and distortion of history. Sample the following paragraphs taken from Ram Swarup's articles in the Times of India, December 19<sup>th</sup> and 20<sup>th</sup>, 1984:

“To fulfill a certain need of the hour, Guru Gobind Singh preached the gospel of the Khalsa, the Pure or the elite. Those who joined his group passed through a ceremony known as Pahaul, and to emphasize the martial nature of their new vocation, they were given the title of Singh or ‘lion’. Thus began a sect which was not based on birth but which drew its recruits from those who were not Khalsa by birth. It was almost wholly manned by the Hindus.”

And further:

“Our Sikh brothers remembered the old lesson, never really forgotten by them, taught them by the British, that they were different . . . Under the pressure of this psychology, grievances were manufactured, extreme slogans were put forward with which even moderate elements had to keep pace. In the last few years, even the politics of murder was introduced . . . this grave situation called for necessary action, which caused some



unavoidable damage to the building (he means the Golden Temple). When this happened the same people who looked on the previous drama either helplessly or with an indulgent eye, felt outraged . . . The extremists who died became martyrs; the jawans who gave up their lives in performing a patriotic duty were forgotten.”

Ram Swarup not only betrays his utter lack of historical perception and truth by making such statements as “the need of the hour” and calling the sovereign and distinct Sikh religion a “group” or a “sect” but dishes out brazenly false and untenable assessment of the evolution of political-spiritual forces of those times Ignoring the Government's diabolic design to stage “Bluestar”, he manufactures and supports the propaganda about the creation of a grave situation which called for a full fledged military offensive.

Arun Shourie, who otherwise deserves bouquets for his dogged exposure of corruption at high places, betrays his prejudice against the Sikhs. Let me quote:

“A demand . . . out of whipped phobias as the panth-in-danger, is inherently insatiable. The moment you satisfy a part of the demand or even all of it, a new and more extreme one is put forth . . .”

(Indian Express May 12<sup>th</sup>, 1982)

Shourie's bias against Sikhs is deep and permanent He has unambiguously stated that the Congress Government's policy in respect of Punjab is correct. Forgetting that the Punjab, more pertinently the Sikh problem, is the deliberate creation of the government by not honoring the pre-independence commitments denying them even equality, promoting communalism and later introducing the cult of violence to suppress them. He chooses to overlook that it is the government that has been dithering and going back on its commitments. Witness the way Indira Gandhi scuttled the agreed solution and her son the Rajiv-Longowal Punjab Accord.

Gin Lal Jain has a history of unabashed bias against the Sikhs, which over the years he has systematically accentuated. Ignoring the government's treacherous role in the induction of arms into the Golden Temple Complex before the “Bluestar” he writes in the Times of India dated March 7<sup>th</sup>, 1984:

“It is 11:00 p.m. in the history of the Sikh community. It must reverse the clock. It is still possible to do so. But time is running out, the community must demand that the agitation be called off. The Sikhs must heed the warning before it strikes midnight.”

These examples can be multiplied **ad nauseum**. But before closing this chronicle let us see what Prem Bhatia, a long time editor of The Tribune, and as is his wont, has made numerous oblique insinuations to distort history in his recent book “Of Many Pastures”. I quote:

“It was always clear to me that Sikh resentments were rooted in soil much deeper than the denial to Punjab of Chandigarh as the State's exclusive capital, or the complaint that Punjab was not given its full share of river waters for irrigation, or that its claims to a large chunk of territory where the Punjabi language was spoken as a rule had been ignored. Much has been made by apologists for the Sikh community of the economic factor in the prevailing discontent and disorder. This was only partly true and certainly no excuse for killing innocent people and robbing banks.”

It is interesting that the first major disturbance during this phase, which occurred only in April 1978, was not a quarrel between Sikhs and Hindus but between a group of militant Sikhs and the Nirankari sect, initially an offshoot of Sikhism, which the Sikh community on the whole found repugnant to their faith. During the incident, which took place in Amritsar, Nirankaris killed several Sikhs in retaliation against a threat from an aggressive mob apparently determined to have a showdown.

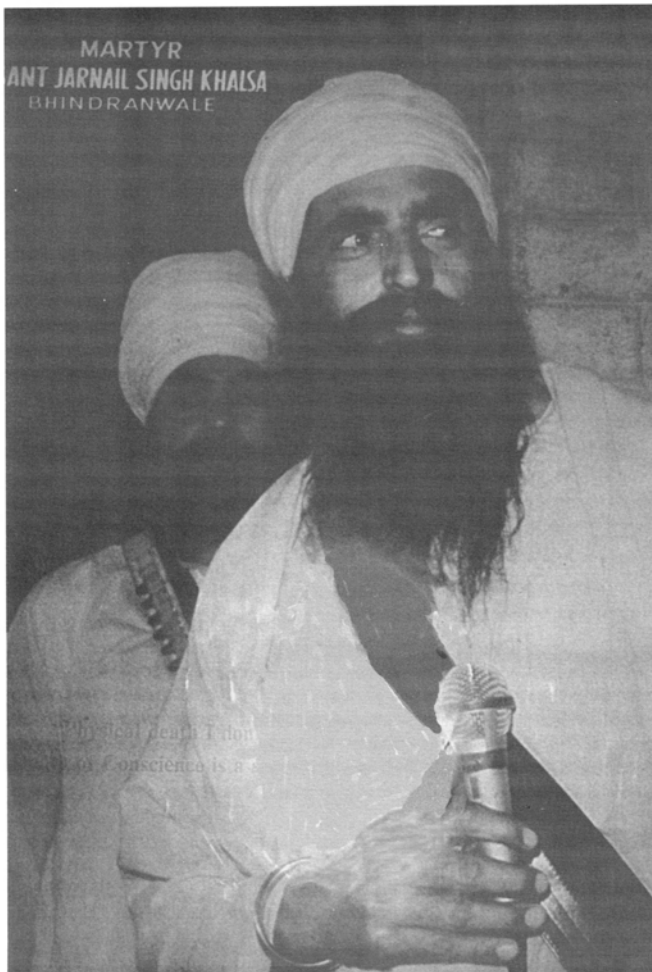
One of the terrorists' first major victims, Lala Jagat Narain, the Editor-proprietor of the Hind Samachar group of publications in Jalandhar, was (as stated in an earlier chapter) a special hate object of Bhindranwale, as was his son, Ramesh Chandra. In spite of tall claims by Darbara Singh, the

Congress successor of Badal as Chief Minister, that he would “crush” the terrorists, the latter's hate campaign against the Hindu community and the Government in Delhi continued to grow and Bhindranwale became a legend . . . The movement in favor of “Khalistan” began to shape in the early eighties and had become much more than an irritating slogan by the time the Army struck at the Golden Temple to deal with Bhindranwale and his armed followers ensconced behind carefully built fortifications in the holy precincts.

“Although terrorists in Punjab had killed hundreds of innocent Hindus during the five years before this carnage, the Delhi killings represented the first large scale massacre on communal lines in which Sikhs were the victims. Sikh minds, already deeply injured over Operation “Bluestar”, were further hurt forgetful of the ancient warning that if you sow the wind you reap the whirl wind.”

Bhatia has gone great guns against the Sikhs completely ignoring the basic and fundamental reasons, i.e. betrayal of the community by the Congress leadership after it assumed power in the divided India; the hate campaign started by Lala Jagat Narain and his group of Hind Samachar newspapers against the Sikhs, their Gurus and institutions and not the other way around as he would have us believe; attributing the killing of Sikhs on the Baisakhi day of 1978 by Nirankaris in retaliation (retaliation for what? Pray, how many Nirankaris were killed or even wounded? None!). Bhatia's generalization in blaming the Sikhs is clearly a case of his fractured psyche. But to make patently wrong statements that ‘Sikh terrorists had killed hundreds of innocent Hindus’ is a blatant lie. The then Union Home Minister P.C. Sethi is on record stating in Parliament before Operation “Bluestar” that between January 1<sup>st</sup>, 1982 and January 31<sup>st</sup>, 1984, out of two hundred twenty victims of terrorism, over one hundred ninety were Sikhs.” But his prejudice in justifying the genocide of the Sikhs on the specious ground of the allegedly terrorist killings, of a couple of hundred people (mostly Sikhs) before “Bluestar” is a sin against humanity. But that is his own equation with his conscience. As a distortion of facts and history its only place is trashcan. Despite his platitudes here and there Bhatia cannot hide his innate hate for the Sikhs.

On the whole, the print media, together with the government controlled electronic media, has played no mean role in alienating the Sikhs and accentuating the communal divide. The Sikhs have a serious handicap in projecting to their countrymen the grave injustice done to them. The only English paper (The Tribune) founded by a Sikh over a century ago has long been high jacked by the Arya Samajists and reduced to a mere mouth piece of that sect and its leaders like Bhatia who ruled the roost during the days of the government created Punjab crisis and still uses it to air his invective.



**"Physical death I don't fear death of conscience is a sure"  
Sikh Sant Jarnail Singh Khalsa Bhindranwale**

## CHAPTER IV

# POLITICS OF VIOLENCE AND STATE REPRESSION

### GENERAL

It is axiomatic that when the Constitution is grossly violated, judiciary is throttled, justice is denied and large scale brutalities are committed on a particular community, there is bound to be retaliation against the perpetrators unless, of course, its will is broken and is no longer able to fight back. But, despite all anticipations and the all-out state onslaught for over seven years, the Sikh morale and will to fight for their freedom have not suffered. Knowledgeable people say that no other community could have stood up so boldly against such heavy odds. Military action, deployment of hundreds of para military companies, imported governors, administrators and police officers from other states who had an established track record of exceeding their mandate and call of duty, legislating dreaded black laws, preventing foreigners and human rights organizations like Amnesty International from entering Punjab and numerous other overt and covert actions have been devised to break the community. These are some of the ways of ushering in the era of politics of violence.

We have noted how the Congress Party and its government made a complete right-about-turn in respect of commitments made to the Sikhs before Independence. We have also noted that a grand design was hatched to bring the Sikhs to heel. Its first ugly manifestation was when the Government of Haryana beaded by Bhajan Lal, in league with the Centre, used its police and hired **goondas** to assault, kill and humiliate the Sikhs who happened to be going to Delhi on the eve of 1982 Asian Games. The excuse was the Akalis' statement of a peaceful demonstration to bring to the notice of the international community the gross violations of human rights vis-a-vis the Sikhs. No one was spared irrespective of age and status including retired and serving senior civil and military officers, "culprits" in faked encounters.

## REPORTS BY INDEPENDENT ORGANIZATIONS

Of late, men and women from social and human rights organizations as well as some members of Parliament have visited a few areas in Punjab. This writer has accompanied some of them during their visits. It must be said to the credit of these fine human beings that their approach to the problem has been extremely objective; they had no communal bias or prejudice against the government. Among these, the Committee for Information and Initiative on Punjab has been most active. None of the members of this committee, namely, R.N. Kumar, Nitya, Ashok Aggarwal and Tapan K. Bose are Sikhs or even Punjabis which itself makes for objectivity. The narration below is extracted from their booklet 'Repon on State Terrorism in Punjab':

“For the last several years the Indian State has been presenting Punjab as a ‘Problem Province’ and the Sikhs as a ‘Problem People’. The much haunted slogan of ‘integrity of the nation’ has been consolidated into the Categorical Imperative that the State can do no wrong vis-a-vis the Sikhs. The genocide of the Sikhs in 1984 in Delhi and elsewhere was seen by the authorities as understandable in the context.”

There has been little news on Punjab save what the State has been dishing out which is mainly of ‘terrorists’ killing and alternatively, getting killed. The constitutional imperative of judicial determination of guilt having been discounted into oblivion by both the police and the press, the reports on terrorists are presented by without the ambiguity of the adjective ‘alleged’. Punjab, which in 1919 housed what was perhaps the most poignant and memorable protest against the Rowlatt Act is today besieged by a host of even more intimidatory legislation. And in the spirit of “anything you can do, I can do better”, towards colonial masters of yore the State of free India has ordained admissible in evidence confessions made to police officials. The Rowlatt Act passed by the British government of India in February 1919 to consolidate the war-time provisions of detention without trial and trial without jury, had prompted Gandhi to call for non-cooperation with the government for the first time. It was the repression of this movement epitomized by the massacre of Jallianwala Bag, which had led Gandhi to proclaim Swaraj as the goal of the people of India in January 1922.

“It is not startling that a State which within the first decade of national independence brought into being the Preventive Detention Act, revived the DIR and has since not looked back with ESMA, MISA, NSA and others, should today contrive the Disturbed Areas Act, Armed Forces Special Power Act, and Terrorists and Disruptive Areas Act. But with all these acts and the President's Rule in Punjab in full swing that it is being found necessary to formally abrogate the right to life by the 59<sup>th</sup> Amendment, does make one pause and think. The Indian State has never covered itself with glory in the matter of human rights. According to an Amnesty International Report, during the late 60's and early 70's, twenty-three thousand political activists were killed all over the country. Torture of political prisoners and of suspects in criminal cases is routine. With manipulation of information and pejorative propaganda the Sikhs have been isolated from the rest of the Indian people and the polarization is near complete. Given the situation, some of us felt impelled to attempt to know the truth about Punjab. Ram Narayan Kumar, a freelance journalist, toured Punjab in March 1988. He also came across instances that showed a complete breakdown of the rule of law. He came across the Tiwana Commission Report; the report of a commission of inquiry set up under the Act and conducted by Justice C.S. Tiwana, retired Judge of the Punjab and Haryana High Court. The report tells the harrowing tale of happening inside the Lada Kothi, a former pleasure resort of the Maharaja of Patiala which was turned into a veritable torture chamber after the Operation “Bluestar”. In a fervent attempt to measure up the concentration camps set up by more eminent dictators of yore batches of persons, whose original detention found by Justice Tiwana to have been illegal in most cases, were sent randomly to Lada Kothi to be tortured. The recommendations of the Commission for action against the police officers identified by name and deed have not been implemented. The Commission's report tabled on the floor of the Punjab Assembly has been effectively hushed up.

“Ram Narayan Kumar came across the case of a child of fifteen picked up and exterminated in police lock-up with the explanation of ‘encounter death’ given to the parents subsequently. And cases of women taken into custody, tortured and released only to be left to die. Most interestingly of all he came across the redoubtable CIA (Central Investigation Agency), the modus operandi of which was to move around in unnumbered vehicles

containing sometimes uniformed, sometimes un-uniformed, scruffy and ruffian-looking characters, who went about picking up and taking into custody anyone and torturing, killing or maiming him. The case of Iqbal Singh a former denizen of the Lada Kothi torture centre referred above was one such. The covetous eyes of the CIA fell upon Iqbal Singh one morning and he was whisked away to the CIA staff headquarters, Faridkot, where he remained for a month. No record was kept of his arrest. It was for moving a habeas corpus petition for Iqbal Singh that the Committee came into the picture. Iqbal's family was too terrorized to give an affidavit and the committee was formed to take responsibility and to move a Habeas Corpus Petition in the Supreme Court. Probably upon getting an inkling of the Supreme Court's Show Cause Notice, the Senior Superintendent of Police, Faridkot, in whose custody Iqbal Singh was, released him in the presence of several persons. The same official has since stated on oath before the highest court of the land that Iqbal Singh was never taken into custody. Kumar records:

“Then there was the case of Jagtar Singh and his wife, Harjit Kaur, who were arrested from the Golden Temple complex and taken to a local interrogation centre from where the wife was released and of the husband there was no trace. We organized telegram to be sent to the Governor seeking Jagtar's release. Eminent civil libertarians like V .N. Tarkunde and several others sent telegrams to the Governor and Jagtar Singh was released.”

“We believe that the character of the repression and brutality unleashed by the State indiscriminately on the Sikhs and the moral lowliness of the officials at the helm of the affairs, as stands highlighted in the cases cited in this report. have contributed, more than anything else, to the growing disaffection among the Sikhs for the Indian state. This ought to be condemned unequivocally by all those who believe that the sovereignty of the State is indivisible from its obligation to protect the human rights guaranteed under the Constitution.”

“The right to life and liberty of the people in Punjab had been under violation for a long time even before the Parliament amended the Constitution empowering the State to suspend it. Observers of



developments in Punjab, in fact, see a close relationship between the escalation of separatist terrorism and the steady augmentation of State violence outside the established procedure of law.”

“Escalation of terrorist violence brought about communal polarization not only of the population of Punjab but also of the State security forces. The Punjab police, a large number of its personnel being Sikhs, was seen as the fifth column in sympathy with Sikh separatists. The Central Reserve Police Forces (CRPF), which functioned under the authority of the Central Government, epitomized the rage and the reaction of Hindu India against Sikhs. The Force was deployed to teach the desperate lot a lesson. And lessons they were taught.”

Kirpal Singh, a leader of the Janata Party in Amritsar, told me about the killing of innocent persons by the CRPF during the funeral procession of Harbans Lal Khanna, a Bharatiya Janata Party leader, assassinated apparently by Sikh militants, in April 1984.

“Hindu organizations had given the call for a **bandh** (shut down) in Amritsar as a token of anguish at the assassination. The CRPF took it upon itself to enforce the call. Many Sikhs did not close their shops. CRPF personnel ran amuck and rampaged the markets, which were not shut down in sympathy with Hindu anguish. In a fruit shop three Sikhs resisted the brigandage. They were shot dead. In another incident that occurred the same day, a CRPF patrol stopped a group of four men who were coming to Amritsar from village nearby. The group consisted of two brothers, Surinder Singh and Narendra Singh, their father Mohinder Singh and Kuldip Singh, their maternal uncle. Kuldip Singh was clean-shaven and looked a Hindu while the rest were hirsute. The CRPF patrol let Kuldip Singh get away and shot down the rest. The government initially claimed that they were terrorists but later on equivocated by explaining the incident as an instance of inadvertent excess. The next of kin of the victims were monetarily compensated. But the guilty officials remained unpunished. In early 1983, the President of the Akali Dal, Longowal, appointed a Committee to investigate the widespread reports that the police were killing Sikhs extrajudicially under the blinder of ‘armed encounters’. Three prominent lawyers, G.S. Grewal, who later became the Advocate General

of State; Manjit Singh Khera and Ajit Singh Sirhadi, a former Minister and Advocate General, were on this committee. They were able to examine eyewitnesses only in three cases of reported deaths in encounters. The Committee came to the conclusion that in all the three cases the encounters were faked and that the detainees had in fact been killed in State custody. All these instances precede the Operation “Bluestar” and the Delhi riots. Let us proceed to the nearer past.”

“In December 1986, a Sikh youth in Shah Kot village which came within the Assembly constituency of Balwant Singh, then finance minister, was killed by CRPF personnel. Balwant Singh prevailed in the police administration to register a case of culpable homicide against the officers responsible. Though the case was registered there was no follow up. The initiative taken by Balwant Singh in this case brought about a rift between the police administration which functioned under supervision of the Union Home Ministry and the elected government of the State, culminating into the latter's dismissal by the President of India in May 1987. Dismissal of the government was preceded by mud slinging between the Finance Minister and Mr. Rebeiro, the Director General of Police of Punjab, an iron fist appointee of the Prime Minister. Balwant Singh criticized the police chief for being cavalier with the press in making statements derogatory to the elected government and for upholding an extrajudicial approach to tackle Sikh militancy. Rebeiro charged the ministers and legislators of the Akali Dal of harboring terrorists. In August 1987 the Punjab Human Rights Organization released a report on its inquiries into the allegations of killings of Sikh detainees in the State custody. According to the findings of the organization seventy-three persons in police custody had been killed in the district of Amritsar alone within a period of little more than three months between May 12<sup>th</sup> and August 22<sup>nd</sup>, 1987. All these killings had □n explained away as deaths in armed encounters between terrorists and the security forces. The Punjab Human Rights Organization also released the list of people killed, giving along with their names, the dates and places of their actual arrest, and the dates and locations when and where they were alleged to have died in encounters with the security forces. While releasing the report to the press at Chandigarh, Justice A.S. Bains, a retired judge of the Punjab and Haryana High Court and the Chairman of the organization, after they had written complaints to the senior police officers about

extrajudicial execution of their relatives were themselves killed in faked encounters.”

“**FAKED ENCOUNTERS** is an elastic term which covers death caused by security forces in a variety of circumstances and reactions not involving a direct clash with persons killed.”

(The report gives a number of examples through immaculately documented case of such “encounters”).

The report came out with the following findings:

“Parminder Singh, the deceased, who lived in Secretary Mohalla of Gurdaspur had gone to visit a friend near Geeta Bhavan, who was ironically enough a Hindu. The incident occurred when he was taking leave of his friend to return to his house. On seeing the patrol jeep of the 54<sup>th</sup> Battalion of the BSF, the boys, who had been standing on the road chatting, started to move away. The BSF men challenged them to stop and immediately opened fired, killing Parminder Singh. The inquiry concluded that the boy killed by the BSF did not have a weapon with him. The pistol, shown to have been recovered from his dead body, was a plant, the report said. The magistrate indicated the personnel of the BSF responsible for the murder by their names and suggested that they be prosecuted under the relevant sections of the Indian Penal Code. The recommendation was, as in other cases cited before, ignored.”

“In the course of my own travels in Punjab I received innumerable reports of deaths in fake encounters from people who claimed authentically that these had actually taken place in police custody. I was able to investigate only three such cases thoroughly. I discovered that they were indeed plain murders of detainees in custody committed by their custodians. In two cases I found that detainees had been done to death after prolonged interrogation under severe torture. One of these cases was from the Muktsar subdivision of Faridkot district, the second from Guru Harsahay, a sub-division of Ferozepore district. The third case of extrajudicial execution had taken place in Mohali, in district Ropar near Chandigarh. In that case the police shot down an unarmed person while trying to abduct

him from a public procession in front of hundreds of people. He probably died immediately from the injury. I say probably, because the police carried away his body in a jeep to some unknown place after shooting him and declared his death only the next day following a public protest at the incident.”

## **POLICE VIOLENCE IN PUNJAB**

Justice (Retired) V .N. Tarkunde, Mr. N.D. Pancholi and Mr. Tejinder Singh of the Citizens for Democracy visited some of the worst affected areas in the Batala Police district from March 18<sup>th</sup> to 20<sup>th</sup>, 1989, they were not accompanied by any person belonging to a political party. Here are some extracts from their report, which has appeared in a large number of newspapers and magazines:

“The most frequent charge on which villagers are arrested by the police, beaten up, tortured and kept in detention is that they had harbored the terrorists. What happens is that a small group of terrorists goes to a village at night and demands food and shelter. The terrorists are heavily armed and it is impossible for the villagers to refuse their demands. Next day, the police approach the villager, arrest him and his family members, beat them up and often deprive them of money and other movables. An instance may be cited of what happened in village Padda. Ajit Singh Shah, his son and two relations from that village are still in jail. They were severely beaten for having harbored terrorists and a sum of Rs.15,000 and some movables were taken away by the police.”

“We heard such accounts from almost every village we visited. A curious story was told by Swaran Singh and his friend Sukhdev Singh at Fatehgarh Churian. Swaran Singh has been a Congressman and, being in possession of licensed arms, was able to repel an attack by some terrorists when they came to his farmhouse in Boharwal village. For greater safety he shifted to another village, Mohan Bhandrian, where he had a commission agency. On 7-1-1989, a number of terrorists came to that village and looted all the shopkeepers including Swaran Singh. The police came to the village the next day and arrested all the shopkeepers including Swaran Singh for having given assistance to the terrorists. Swaran Singh was kept in jail for

four days and was severely beaten and tortured. He has now shifted to Fatehgarh Churian. He told us that out of sheer disgust he has decided to leave the Congress and join the Bharatiya Janata Party.”

“Sometimes all the adults in a village are gathered together by the police and beaten up because of the suspicion that they supported the terrorists. On 11-1-89, at about 4:00 a.m. the police came to Sachur Village in twenty-three or twenty-four trucks and jeeps, called out all the men and women, asked all the adult men (about five hundred in number) to lie on the ground with their faces down and beat them mercilessly with leather straps and wooden batons for more than an hour. The operation was directed by the SSP of the area. The villagers themselves told us this story. They also said that fifteen days earlier a similar treatment was given to all the adults in the nearby Dhabawala Village.”

“More serious notice is taken by the police of families when they suspect that a family member has joined a terrorist gang. In Bolewal village, a young man named Kulwant Singh had absconded and was suspected (probably right) of having become a terrorist. The police arrested his elder brother Nirwar Singh, tortured him and subsequently declared that he died in a police encounter. They arrested the youngest brother Dilgagh Singh and tortured him for extracting information about his absconding brother. Later, on May 2<sup>nd</sup>, 1988, the police visited the house again at about 2:00 a.m. and as Dilbagh Singh was trying to run away, he was shot dead. The story was told by his tearful mother and corroborated by the villagers. The SSP of the area was present when Dilbagh Singh was shot dead. Next day the DIG came to the village, collected the villagers, and after giving the instance of Dilbagh Singh threatened them of the consequences of giving succor to the terrorists. Such cases of killing by the police are quite frequent.”

“We heard reports from different people that the police themselves have set up non-official forces consisting of armed gangs whose function is to trace terrorists and exterminate them. These gangs are reported to be indulging in oppressing villagers and extracting money from them.”

“It is not surprising that some young boys from the families which are thus subjected to beating, torture and fake encounters join one or other of the

terrorist gangs. By all accounts, police atrocities are at present the main cause of the continuation of terrorism at least in the border districts of Punjab.”

“We are told that on March 10<sup>th</sup> or 11<sup>th</sup>, about three hundred to four hundred policemen came to Bolewal village collected all the men and boys above the age of eleven, and made them sit in the open the whole day. At the end, thirty persons were taken into custody, beaten up with leather straps and then released. More recently, on March 16<sup>th</sup>, Avtar Singh and his brother were taken into custody at Jafarwal village because of their suspected terrorist connection and were killed by a non-official force set up by the police.”

"It will be recalled that in August 1985, the Citizens For Democracy had, after a fortnight's enquiry, published a report on the police atrocities in Punjab after the “Bluestar” Operation of 4<sup>th</sup> and 5<sup>th</sup> of June, 1984. The report pointed out that as a result of police atrocities, a form of State terrorism had developed in Punjab and that it had been counter-productive as it had led to the growth of terrorist activity. The book was banned on the ground that it was seditious. What is stated above fully vindicates the conclusions drawn in that report four years ago.”

“On the basis of our enquiry, some concrete suggestions can be made for improvement of the Punjab situation. First and foremost, all police excesses must be stopped. It is the duty of the Punjab government to see that the police act within the bounds of law and in accordance with the Constitution. Even if the police cannot be persuaded at short notice to change their attitude towards the people and to seek public cooperation for the suppression of terrorism, they can at least be required to adhere to the rule of law.”

“Secondly, it must be realized that one of the main causes of the alienation of the Sikh community lies in the fact that no action is taken against the culprits of the Sikh massacre which took place in Delhi and elsewhere in 1984. The government has rendered the Jain-Bannerjee Committee, which recommended prosecution of some of the culprits, entirely ineffective. The

work of that Committee should be revived and its recommendations should be carried out.”

“Third, a process should be initiated for the eventual establishment of a democratic regime in Punjab. The Prime Minister or the Cabinet Committee appointed for the purpose should discuss the matter with the opposition parties and initiate a process for the re-establishment of democracy in Punjab.”

None of the recommendations of the committee have been implemented. –  
Author

## **MEMBERS OF PARLIAMENT VISIT PUNJAB**

On April 17<sup>th</sup>, 1989, three prominent Parliamentarians accompanied by the author visited some villages in District Gurdaspur and interviewed some victims of torture, molestation and the families whose members had been killed or taken into unlawful custody by the Police and para-military forces. Their report appearing in the press is reproduced below:

A three-member committee of Opposition members of parliament (MPs) has indicted the police for committing excesses on the people, including village elders and women in Batala police district.

In a detailed report on “police brutality and lawlessness in Batala” submitted recently to the President and the Prime Minister, the committee has demanded a high-level judicial enquiry into the cases of police brutality, torture, and humiliation of villagers. “Whatever the form of any other terrorism, we got a first hand glimpse of State terrorism and it is obvious that functionaries of the State who perpetrate crime against innocent people are incapable of the disciplined effort required to deal with others indulging in equally reprehensible crimes” it said and demanded immediate action against the Batala police chief.

During their tour of the area the committee consisting of Mr. K.P. Unnikrishnan, Mr. Ashok Nath Varma and Mr. Munirarn Saikia, visited two villages, Sarchur and Kastiwal, and met several residents, including

retired Army personnel, to record statements about brutal police behavior. The accounts narrated by the people, it said, were consistent and corroborative.

According to the report, on January 10<sup>th</sup> the SSP Gobind Ram, with about five-hundred BSF and Punjab police personnel, rounded up all five-hundred males in Sarchur village and all Sikhs between the ages of eighteen and eighty at a focal point. They were made to lie down and beaten with belts and bamboo sticks.

The police chief compelled the assembled villagers to shout the filthiest abuse against various prominent persons, particularly against a woman activist of the Akali Dal and her two daughters.

The report pointed out that Surjit Kaur's son, Prabjot Singh, was picked up by the police within days of coming from abroad along with his sister and kept in police custody for six days. Her younger daughters aged fifteen and 10 were also taken away by the police and kept in custody for two days without any female personnel. They would not describe in detail the manner of torture but kept on repeating the wretched things were done to them.

Narrating another incident of Avtar Singh, a granthi of a local Gurdwara and his wife, the committee members said, it revealed the non-seriousness of the police in apprehending terrorists. The granthi confessed to the committee that armed men came at late hours and demanded food, which, in the absence of protection, he dared not refuse. He informed the police about this but instead of providing protection or keeping a watch on the house, he and his wife were taken in custody and tortured.

After being beaten severely, his wife was tortured by placing a long iron rod on her thighs with two persons standing at each end and two others rolling it up and down. Apparently the muscles were seriously damaged. Avtar Singh was tortured by passing an electric current through his genitals, the report said.



In Kastiwal village, which has a sizeable Christian population, the panel members met Mr. Bashir Masih, a Roman Catholic who retired from the Guards. He revealed that Mr. Govind Ram forced the men in the village - about five hundred in number - to assemble before being beaten up.

The police, after humiliating the men, threatened to strip the women before the assembly.

In the same village, Mr. Inderlal, a Hindu **chowkidar**, said on January 12<sup>th</sup>, when he was accompanying the **lambardar** of the village on his rounds, the police surrounded the village and rounded up people. Although the two showed their identity cards and land revenue books, they were forced to lie down and beaten up like others.

The reports quoted another case of Mr. Dharam Singh from the same village, who had run away due to police harassment. The police had destroyed his house where his aged mother lived.

Dharam Singh came back to his house, hoisted the “Khalistan” flag and started reconstruction of the house. He worked for three days but the police never came.

After he left the place, the police came, pulled down the flag and abused villagers for not providing information in time.

The report maintained that it was not known whether the Centre's policy was to have officers like Mr. Gobind Ram, whose conduct alienated the people.

(The Tribune dated April 18<sup>th</sup>, 1989)

## **AN AMNESTY INTERNATIONAL REPORT**

Among many cases of human rights violation reported in the March 1989 hand-out by Amnesty International, an extract from its March 1989 report (AI Index 20/05/89) concerning murder of a university professor in a false encounter is reproduced below:

“Rajinder Pal Singh Gill, an assistant professor in horticulture at Punjab Agriculture University, Ludhiana, was reportedly arrested on 25<sup>th</sup> January 1989 in Chandigarh, Punjab, by the Ludhiana police. The police refused to give information about his arrest or whereabouts until 15<sup>th</sup> February 1989, when the Ludhiana police announced that he had been killed in an encounter with the police together with two others on the night of 26<sup>th</sup> January 1989 at Khehra Bet, Ludhiana. He had reportedly been seen in custody at Sadar police station on 25<sup>th</sup> and 26<sup>th</sup> January 1989.”

“Members of a local human rights organization investigating the report of his killing spoke to two people who said they had seen Rajinder Pal Singh Gill in the custody of the police. One eyewitness stated that he saw him being brought to the CIA Headquarters at Ludhiana around 10:30 p.m. on January 25<sup>th</sup>, 1989. A second eyewitness claims to have seen him at the same place around 9:00 a.m. on 26<sup>th</sup> January 1989. A lawyer who had gone to Sadar police station to report a theft stated that he had seen his tractor, which was also taken away at the time of the arrest, at Sadar police station on 26<sup>th</sup> January 1989 at 10:00 p.m.”

“Relatives filed a habeas corpus petition before the Punjab and Haryana High Court on 8<sup>th</sup> February 1989. Subsequently, the court directed the Director General of Police, Punjab, and the Senior Superintendent of Police, Ludhiana, to produce Rajinder Pal Singh Gill in court on 10<sup>th</sup> February 1989. The police reportedly asked the court to extend this period. “But, on the 15<sup>th</sup> of February 1989, Mr. Sumedh Singh Saini, Senior Superintendent of Police, Ludhiana, announced that Rajinder Pal Singh Gill had been killed in an encounter with the police at Khehra Bet, near Ludhiana, together with two others named as Devinderpaul Singh from Malikpur Garibdas, Ropar district, and Prabbjit Singh from Chandigarh. The clothes of Rajinder Pal Singh Gill were reportedly recovered from the place of the encounter, but the dead body was not handed over to the relatives but cremated by the police.”

“The police have not made public any further details about the circumstances of the alleged ‘encounter’. The lawyer who had seen Rajinder Pal's tractor at Sadar police station reportedly also stated that he had heard how the Station House Officer reprimanded his juniors for

bringing the tractor to Sadar and failing to take it to Ladowal, a place near Khehra Bet, the place where the alleged encounter took place.”

“Amnesty International is concerned that Rajinder Pal Singh Gill may have been deliberately killed on 26<sup>th</sup> January 1989 in an ‘encounter’ staged by the police. This is because the police have not produced evidence that he died in an armed encounter, because eyewitnesses claim to have seen him in custody before the killing, and thirdly because his wife, Rajinder Kaur, who had been arrested in August 1988, claimed in a telegram, of 27<sup>th</sup> August 1988 to the Chief Justice of the Punjab and Haryana High Court, that while she was detained at Focal Point police station, Ludhiana, the superintendent of police (detective) had threatened that her husband would be killed in an ‘encounter’. Further, as pointed out in an article in The Time of India of 22<sup>nd</sup> February 1989, ‘the police have so far failed to give any satisfactory explanation for not releasing details in time of the death.’”

“Amnesty International urges the Indian government to institute immediately an impartial investigation into the allegations that Rajinder Pal Singh Gill was deliberately killed by the police in a staged “encounter” and to publish its findings in full. It also requests that the government take all necessary steps to protect any witnesses wishing to give evidence during the inquiry. Should evidence emerge that Rajinder Pal Singh Gill died as a result of deliberate shooting while in custody of the police, Amnesty International urges the government to ensure that criminal proceedings are instituted against those responsible and that adequate compensation be paid to the relatives.”

Footnote: Needless to say that the India government has, as is its practice, ignored Amnesty International's suggestions, which further substantiates the government's connivance and support of the security forces in their unlawful activities.

## **A REPORT BY PUNJAB HUMAN RIGHTS ORGANIZATION**

Report from the Punjab Human Rights which appeared in the press on 24<sup>th</sup> February, 1989 further substantiates the state atrocities is reproduced below:

“On coming to know of the police excesses in Batala and Sri Hargobindpur area, the Punjab Human Rights Organization sent out its team to gather authentic information. A team consisting of Dr. Jiwanjot Kaur and Miss Kamal Kaur Sandhu of Nari Munch Punjab toured the Sri Hargobindpur area and particularly documented at least a dozen cases of police brutality on women. Another team consisting of Justice Ajit Singh Bains, Mrs. Baljit Kaur Gill and Mr. Gurtej Singh toured the Batala area and recorded evidence in several villages. During their tour the teams interviewed the affected parties, publicmen, social workers, political leaders, ex-servicemen, teachers and others. On the basis of information collected, the following conclusions can be drawn:

1. The police force-led by Gobind Ram has unleashed a veritable reign of terror in the area. People flee to fields on the approach of suspected police vehicles in panic reaction and are generally migrating to safer places. Registration of false cases, extortion, torture, elimination in false encounters and detestable insult campaign are some of the activities being currently undertaken by the district police in Batala. This is continuing in spite of widespread resentment, large scale Media exposure and public disapproval by the Governor and his Adviser. No remedial measures have been undertaken by the administration.
2. The police is achieving its objectives through the manipulation of its own decoy gangs, which visit isolated village homes at odd hours and demand food and shelter at gunpoint. They abuse imposed hospitality in many ways, extort money and often molest the women folk. Unarmed villagers are unable to resist them. Next day the village is visited by the police and everybody in the village is humiliated on the pretext of having provided food and shelter to alleged terrorists.
3. Police, supported by para-military forces, descends on the villages in the small hours of the morning. It is armed to the teeth. It surrounds the village and rudely pulls out the villagers it wants to insult and assault. Sometimes they are made to come out on the pretext of distribution of flood relief. Our teams came across victims of both sexes and of ages ranging from pre-teens to late eighties. Elected representatives, retired

military and civil officials and village servants with identity cards duly issued by the government are not excluded.

4. The entire village community is forced out to an open field and made to lie face downwards on the ground. People are stripped naked and given a beating with shoes and sticks by the police with the Senior Superintendent of Police and other officers joining in. At one place a Major of the Border Security Force quitted the scene in disgust. Honored guests, migratory labor and casual visitors are not spared. Retired army officials get more than their share. In a village, an ex-Indian National Army official has been forced to desert his home. His family has gone with him. An employee of the Punjab Electricity Board has been driven underground by frequent torture and repeated insults. At gunpoint villagers are made to join the police in hurling filthy abuses at women, village elders and respected figures.

5. From amongst the assembled villagers, batches are selected and transported to neighboring village for being similarly insulted in front of their neighbors. Some young men and women are selected for extended torture in the notorious BEECO building at Batata. At this place systematic torture with the aid of variety of machines and gadgets is inflicted upon the illegally detained inmates. There is no outside help, no remedy or hope of any sort; those who venture out to help are themselves treated as criminals.

A sample of the mildest abuse by the police was recalled to our team by **numberdar** and **chaukidar**, both more than seventy years of age. They were going about their business of collecting land revenue. They tried to exhibit the account books by way of confirmation of their official status. ‘The registers will be rolled up and shoved up your . . .’ they were told.

6. Villagers told our team that the Sub-Divisional Magistrate and the District Magistrate, who although unable to help, yet listened to them sympathetically, have both been transferred out promptly. One of them has relinquished his charge and the other is in process of doing so. The offending Superintendent of Police stays put. Villagers who spoke up

against him on February 14<sup>th</sup>, 1989, at the bidding of the Governor, were again beaten up by the police for expressing resentment.

## **MOTIVES AND PURPOSE:**

1. Immediate motive behind unleashing State terror appears to be to demoralize and subjugate the unarmed helpless villagers. It is calculated that this will somehow inoculate them against private violence and will help in containing it. The police appears to have the support of all those who matter in the administration of the Punjab.

2. Higher police officials are reaping a good harvest. Prompt payment to a sufficiently senior police officer is the only alternative to insult, illegal custody and torture and death in fake-armed encounter with the police.

3. Some policemen told our teams in all seriousness that one aim of the police is to induce violence so that the continuation of Batala as special police district beyond March 17<sup>th</sup>, 1989 may be justified. That may be one aspect of the matter.

4. It is obvious that at various levels the State machinery has become interested in the continuation of violent activity and is seeking its perpetuation for gains ranging from propaganda value to consolidation of communal votes. Our team was told that the curtain drops while a prominent Congressman is making a show of coming to the aid of the stupefied people.

## **RESULT:**

1. Police has struck a great blow for what it calls terrorist activity by constantly inspiring thousands of people to join their ranks. Sympathy and admiration for in underground has vastly increased. Their Robin Hood image is all too perceptible.

2. By the present action, the police has rapidly progressed in deepening the communal divide, which it officially decries but actually appears to yearn for.

3. The net result of this activity is that whole villages are seething with discontent, disgust and rage at this uncouth, uncivilized and, in fact, barbaric behavior.

4. Prestige of the law and order machinery is at its lowest ebb. People compare the behavior of this police with that of the worst armies of occupation, anywhere.

5. Delicate social fabric of the village community, which binds our rural people together, has been rudely rent asunder. Long-term repercussions of this aspect are difficult to assess immediately. But they can be safely predicted while hoping for the best. It is a social catastrophe of the greatest magnitude. The wounds will never heal. Great many lives have been rudely and violently shaken away from the sure keep ages. Their misery will never cease.”

In August 1989 the Batala police forcibly picked up Gurmeet Kaur and Gurdev Kaur from Amritsar, which is outside the jurisdiction of the latter. But since the launching of Operation “Bluestar” the government has been waging an all out war on the Sikhs. There is virtually no rule of law. J.F. Rebeiro is on record stating, “In the situation which obtains in Punjab, police accountability is to itself.” (Interview with Pritish Nandy, Editor of Illustrated Weekly of India, October 1989).

A brief account of the physical and mental torture of these two women is given below:

“They were employees of Prabhat Finances and Investment Limited, Khalsa College, Amritsar. A police team from Batala raided the office and forced them into a van, which had no number plate. Except for Head Constable Lakhvinder Singh, other officials were in plain clothes. They were driven to Sadar Police Station in Batala and were shifted to BECCO Interrogation Centre in Batala around 7:00 p.m. Senior Superintendent of

Police Gobind Ram personally supervised their torture in the course of their interrogation.”

“Mrs. Gurdev Kaur was let off on August 22<sup>nd</sup>, 1989 in the early afternoon. Mr. Gurmit Kaur was held in illegal custody till August 26<sup>th</sup>. That day her arrest WE: formally registered and remand for interrogation for two days was obtained. Th; police remand was extended up to September 3<sup>rd</sup>, 1989, the day Gurmit Kaur was discharged and released from custody by the designated court, Gurdaspur.”

The story of their illegal detention and torture appeared in the Daily Ajit, a Punjabi newspaper:

“On August 29<sup>th</sup> 1989 Shri Hari Singh Nagra an advocate from Chandigarh filed a on in the High Court of Punjab and Haryana on the basis of the newspaper report of the case, seeking medical examination of the tortured, compensation and a case against those responsible. The State of Punjab in its answer denied the allegations, however, admitting that Gurdev Kaur was taken to BEEKO Interrogation Centre, on 21<sup>st</sup> and 22<sup>nd</sup> August, 1989 and was allowed to return to her house after some hours of questioning. In their answer the respondents alleged that Gurdev Kaur had confessed to her involvement in terrorist activities.”

“On September 11<sup>th</sup>, 1989 both Gurmit Kaur and Gurdev Kaur filed applications before the High Court asking that they be medically examined to determine the factum of their torture. The petition, No. 2861 of 1989 was, however, dismissed by Justice S.S. Diwan on the following grounds:-

i) Two women in the application claimed to have been tortured by the Senior Superintendent of Batala Police personally whereas the petition filed by Hari Singh Nagra only alleged that they have been tortured at his instance. (A public-spirited lawyer filed the petition after reading of their illegal custody and torture in a newspaper).

ii) The two women did not complain to the Magistrate before whom they appeared on August 26<sup>th</sup>, that they had been



tortured. Gurmit Kaur asked the Magistrate for a medical examination only on August 30<sup>th</sup> and upon being taken to the Civil Hospital gave in writing to the police that she did not want to be examined. (According to the police Gurdev Kaur was never arrested and produced before the Magistrate. Gurmit Kaur did apply for medical examination on August 30<sup>th</sup>. Her statement, when taken to the Civil Hospital, stated that she did not want to be examined was made under duress. Since she remained in police custody for five more days her subsequent request to the High Court for a medical examination had, independently of all these facts, a sound basis).

iii) While applying to the High Court for medical examination at a belated stage they did not support the allegation of torture in custody with a medical certificate. The request was belated, if so, because they have been bed-ridden and unable to move about. On learning that a petition on their behalf had been filed by a public-spirited lawyer they decided to file their own affidavits. The fact that no hospital would give them a medical certificate establishing the torture in custody was precisely the fact that had prompted them to seek intervention from the High Court.”

## **THE BLACK LAWS**

The draconian laws specially enacted for Punjab are so barbaric that they have no parallel, not only in the democratic countries but even where dictators and despotic monarchs have ruled since the medieval times. A brief description of some of these laws would be appropriate so that the reader could appreciate how the Indian Government has armed itself through these repressive measures to take away the right to life and liberty of some sections of its own citizens. The saddest part is the poisoning of the public mind against the Sikhs through the controlled electronic media as well as the massive propaganda blitz by other means at its command.

Peoples Union for Civil Liberties, an All-Indian Organization, has a long and creditable record of highlighting curtailment of human rights by the

State. Some extracts from their booklet titled “Black Laws 1984-85” are given below to further acquaint the reader about the appalling state to which the selected communities and groups have been systematically reduced.

The history of post-Independent India is replete with Ordinances and Acts have seriously eroded the civil and democratic rights of the Indian people. Recent enactments have dramatically aggravated this situation. The deteriorating situation in Punjab, itself a creation primarily of the State and the ruling party, has prompted the government to bring in an additional set of repressive measures. What is worse, a carefully manipulated climate of opinion that is full of panic and fear have allows: these legislations to be passed almost without a whimper of protest. What is of grave concern is the almost complete lack of active opposition to these laws among democratic section of the public.

And now upon all this, comes the Terrorist and Disruptive Activities (Prevention Bill, 1985 that was rushed through Parliament in a record time with almost the entire Opposition giving their assent, directly or through their silence. The Bill popularly known as the “Anti-Terrorist Act” is the crowning act of a State, which has symbolized growing oppression and terror against the people. It is thus not only undermining its own legitimacy but also undermining the whole Constitutional basis of a civil society. The earlier measures, which have been put on the statute book over the years, have so over-equipped the State and its ordinary functionaries with extraordinary powers that they are bound to be used against innocent people, and have been. This new Act will be too, apart from the fact that it was wholly unnecessary.

Above all, the Act seeks to “terrorize” in a rather basic way - by terrorizing the mind, by making any dissent from mainstream thinking an unpatriotic act. Anyone can be called a “terrorist”. The conditioning of the press and the judiciary in recent years, following the Army action in Punjab (Operation “Bluestar”) is only a forewarning of what is to follow. In turn, this is likely to at once terrorize and alienate ordinary members of minority communities, something that real “terrorists” will in fact enjoy. And the

moot point is that the Act will hardly put a stop to “terrorism”. It will only dramatically curb the basic liberties of the people.

When the Constitution of India was enacted, Article 21 guaranteed to every person the right to life and liberty, which could not be denied to her/him without honoring the due procedure established by law. Article 22 of the Constitution laid down the scheme under which a preventive detention law could be enacted. The Preventive Detention Act was enacted in 1950, and it continued to be on the statute book until the Maintenance of Internal Security Act (MISA) came into existence in 1971. From 1950 to 1970, the Preventive Detention Act was re-enacted seven times, each time the duration of the Act being three years. There was a gap of about a year when there was no Central law on the subject, though several States had PD laws. (Preventive Detention is different from detention under normal laws, i.e., the Indian Penal Code (IPC) and the Criminal Procedure Code (Cr.P.C.) Under the IP.C. and the Cr. P.C. persons are arrested for having committed acts violative of the law. Under Preventive Detention, however, persons are arrested to prevent them from doing what the government does not wish them to do.)

In 1977, the MISA was repealed. And the only period in the Indian Republic without any preventive detention law was the three-year period, beginning with the repeal of MISA in 1977 to the promulgation of the National Security Act in December 1980, though an attempt was made even during this period to bring in a “mini MISA”.

And now, thirty-eight years after “Independence”, the people of India have been subject to laws, which violate all principles of natural justice. In some ways, they are worse than laws under the colonial regime. Not only do they subvert the right to fair trial but they can also be used against individuals and groups working for social and political justice.

We believe that the present political system is bent upon subverting the principle of freedom and justice, and destruction of the fundamental rights of the individuals. There is an urgent need to build public opinion and to bring popular pressure against the black laws of 1984-85.

Commenting on the Terrorist and Disruptive Activities (Prevention) Act (1985), Mr. V.M. Tarkunde, Retired Judge of the Supreme Court states:

“Assumption of such vast coercive powers by the Executive is quite unnecessary for coping with terrorist acts and socially harmful activities. The ordinary law of the land, embodied in the Indian Penal Code and the Criminal Procedure Code, can easily deal firmly and adequately with terrorist acts and activities, which are really disruptive.”

“The oppressive nature of the legislation is further brought out by the way it deals with persons who are merely suspected of terrorist or disruptive acts. They can be produced after arrest before the executive (not judicial) magistrates. They cannot be released on bail except after notice to the Public Prosecutor and only if they satisfy the magistrate that they are innocent of the alleged offenses. If they are not released on bail, they will remain in jail for a whole year even if no charge sheets have been filed against them in any magistrate's court.”

“Another harmful feature of the Bill is that the definition of ‘disruptive activity’ is so wide as to include a mere expression of opinion, not accompanied by any violence or incitement to violence. Any Sikh who says that he agrees with the Anandpur Sahib Resolution, any Muslim who says that there should be plebiscite in Jammu and Kashmir, any Naga or Mizo or Manipuri who says that the people of his or her state should have the right to self determination, is guilty of ‘disruptive activity’ and can be punished by a sentence which may extend to imprisonment for life and shall not be less than imprisonment for a term of three years.”

“Those who drafted this legislation have failed to realize that the unity and integrity of India can be maintained only by the spontaneous sense of loyalty and cooperation of the people of different regions of the country and not by recourse to oppression and coercion. Such draconian laws are counter-productive, because they drive secessionist movements underground, where they thrive on the dissatisfaction of the local population.”

In his piece, “Grabbing More and More Powers” in the same booklet Mr. S. Sahay, Editor, The Statesman, Delhi, has this to say:

“What money is to unscrupulous traders, power is to the politicians and bureaucrats. Any excuse is good enough to have more and more and in any case in excess of requirements of the situation. And what has once been grabbed has to be retained on one pretext or another.”

“Recall how preventive detention initially had annual life and how after being fitted into different grabs (MISA, National Security Act and what have you), it has become a permanent feature of our life. Recall how many extraordinary pieces of legislation have been enacted in recent years, which deny citizens the right to be tried under the ordinary laws of the land. There are special laws to deal with smugglers, with economic offenders, with other anti-social elements. Not that these have curbed smuggling or economic offenses, the political morality being what it is, but the remedy touted is to have still more powers.”

“The recent planting of ‘transistor bombs’ in Delhi and elsewhere gave the Government an opportunity to push through Parliament the Terrorist and Disruptive Activities (Prevention) Act. It is true that the Union Law Minister, Mr. Asoke Sen, was at pains to point out during the debate on the Bill that the measure was not intended to be against the Sikhs, that it included terrorism elsewhere in the North-East for example. However, few will miss the proximity between the planting of the transistor bomb and the adoption of the Bill. The Northeast has been a problem with us for over two decades. Why was not such a measure adopted earlier?”

Mr. Sen was also at pains to assure Parliament that the Government did not intend to rule through extraordinary powers, that the measure would not last beyond two years. One can only say that one has heard all this before, especially in relation to the preventive laws. (The act has been recently extended by another two years).

“Whether or not the Act will strike terror in the hearts of the terrorist remains to be seen, but it is sure to strike terror in the hearts of journalists and others. Even a District Magistrate can be authorized to take steps to

prevent the acquisition, possession or publication of any information likely to assist terrorists or disruptionists. He can also prohibit or regulate the use of postal, telegraph or telephonic services.”

“Since the borderline between terrorism and insurgency in Punjab is getting thinner and thinner, it is highly unlikely that the Terrorist Act will help the Government much. Will it then seek still more powers?”

“The Government has itself answered the question through the 59<sup>th</sup> Constitutional Amendment. It can invoke the Emergency provisions for the state of Punjab whenever it suits. The Government will then have no qualms of conscience, though long since virtually smothered through repeatedly ignoring its protest, to legally take away the life of any person. Meanwhile, it hangs like the sword of Damocles over the Punjab's (Sikhs, in effect) head.”

As the brief reports quoted above indicate, there is no known crime or act of barbarity that the government enforcement agencies have not committed to suppress the Sikhs. We have quoted the reports of some humanitarian organizations. They tell but a fraction of the monumental brutalities being committed. We should perhaps wind up this dismal piece by briefly mentioning a couple of incidents, which took place after the issue of reports detailed above.

Seventeen-year-old Surjit Kaur was picked up and taken to police station, Kathunangal, District Amritsar in February ‘90. She was repeatedly gang raped by half a dozen policemen over two nights. When bleeding won't stop she was handed over to her people in semi-conscious state. The doctor who attended on her saved her life but would not give an authentic medical report. He was obviously aware of what happened to his fellow professionals who had got on the wrong side of the police!

Two minor girls, aged thirteen and fourteen, of village Bham, Police Station Sri Hargobindpur and Police District Batala, were raped by policemen from the police post situated there. After satisfying their lust they killed them and threw their naked bodies in a drain nearby. Despite their best and repeated efforts the girls' parents and the village **panchayat**

could not even get a case registered against the culprits. The district magistrate, who is responsible for law and order, expressed his helplessness. It is only after a month of sustained protests, that at the time of writing, the State Governor has ordered their arrest. It is worth noting that no person below the State Governor, and sometimes not even he, can proceed against the meanest of police functionaries. Is there then any doubt of the complete supremacy of police over the civil administration in the Punjab?

It has been alleged that there are orders from the “top” that Station House Officers (Incharge Police Station) have to kill a certain number of young Sikhs every month. Since thousands are in illegal custody, the laid down quotas are easily met. In the event of a particular SHO not having adequate numbers he “borrows” from a neighboring police station to fulfill his allotted target.

Practically all encounters where no police person is killed or injured are false. If, however, in a real encounter some policemen get killed without inflicting any casualties on the militants, the police kill some innocent persons, bring their bodies to scene of the incident, plant illicit weapons on them and declare how “bravely” they killed the “terrorist”. A case in point: the militants near the police district of Tarn Taran killed two inspectors and four constables. Since there was no casualty among the latter, police shot three innocent boys in the neighborhood and used their bodies for the purpose of showing an “encounter”.

Such examples can be multiplied ad nauseum. But the reader has no doubt comprehended the enormity of the situation prevailing in Punjab through a devilishly designed policy of achieving political ends through progressive escalation of state repression.

The fact that the government has been grossly misusing the black laws is common knowledge. A recent report by People's Union for Democratic Rights (PUDR), which appeared in the Tribune, dated 18<sup>th</sup> November 1989, is reproduced to give an idea of the extent of oppression in the lawless state of India:

## GOVERNMENT “MISUSING” TADA

*NEW DELHI, November 17<sup>th</sup>:*

The People's Union for Democratic Rights (PUDR) said today that the Central and State Governments grossly misused the Terrorists and Disruptive Activities (Prevention) Act, 1985, against political opponents and others not involved in terrorist activities.

Describing the Act as the most extraordinary piece of legislation, the PUDR said that TADA threw to the winds every safeguard guaranteed by the Constitution, every single mechanism of checks and balances erected by it, every principle of liberal jurisprudence, natural justice and democratic rights.

Releasing a report “United we terrorize,” the PUDR said that 19,286 persons were accused under TADA, including 7,969 in Punjab, 4,491 in Gujarat, 2,143 in Andhra Pradesh, 1,270 in Assam, 275 in Haryana and 19 in Himachal.

The Government introduced TADA by citing the transistor bomb blasts in May, 1985, in Delhi and the five accused under the act, K.S. Narang, Mohinder Singh Khalsa, Mohinderpal Singh, Jagdish Singh Narela and Daljit Singh, were tortured to death, the report said.

In Delhi, during elections to the Delhi Gurdwara Prabandhak Committee the Act was used to detain Akali Dal Secretary Bir Bahadur Singh in order to force the sixty-nine-year-old leader to support the then Congress (I) - backed Barnala group in the DGPC elections. Soon after when President's rule was imposed in Punjab in May 1987, Mr. Prem Singh Chandumarja, a Cabinet Minister in the Barnala Government, became a victim of the act.

In Haryana, the Lok Dal-BJP Government used TADA against a Hisar Congress (I) leader. Later while acquitting him the High Court indicted the police and the Government. According to figures given in Parliament up to May 1987, judgments were given in only six of the 1487 cases registered in Punjab, and in only three cases the accused were acquitted.



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n any dispute over the jurisdiction of the designated court under the Act, the decision of the Central Government and not of the Supreme Court shall be final which may choose not to make any decision, the report said.

Citing the case of trial of Karamjit Singh for an attempt on the life of Mr. Rajiv Gandhi and that of Atinderpal Singh, Simranjit Singh Mann, Prof Jagmohan and Professor Daleep Singh in the reopened Indira Gandhi trial case, the report said the trial in these cases had not taken off.

The report named the following organizations which became TADA victims - all factions of the Akali Dal, the AISSF, the “Babbar Khalsa,” “the Khalistan Commando Force,” “the Khalistan Liberation Force,” the Khalistan Liberation Organization,” the SGPC, the DGPC and the Delhi unit of the Akali Dal.

In Jammu and Kashmir, the Ladakh Action Committee, the Ladakh Buddhist Association, the Kashmir Liberation Front and the Muslim United Front were affected by the Act.

(The author stands charged under TADA for advocating freedom through democratic, peaceful and non-violent means.)

## CHAPTER V

# A MILITARY OPERATION CODE NAMED “BLUESTAR”

### THE PRELUDE

We have seen that having backed out of its commitments made to the Sikhs by the Indian National Congress during the long drawn-out freedom struggle before “Independence”, the Indian Government has steadfastly denied them even equality at par with other states. As a result there were many peaceful **morchas** (non-violent agitations) by the political party of the Sikhs, the Shiromani Akali Dal. As a matter of historical record over three hundred thousand Sikhs were jailed in these **morchas**, more than six times the number who courted arrest during the Quit India Movement, launched by Mahatma Gandhi in 1942. The latter was an All India Movement in which all communities of the undivided India participated; proportionately, on the basis of population, the arrests made in 1942 pale in insignificance by comparison. Besides incarceration for varying periods scores of Sikhs lost their lives during these **morchas**. Special mention must be made of Mr. Darshan Singh Pheruman who died after eighty-six days of fast unto death (probably a world record) for the return of Chandigarh and left out Punjabi speaking areas wrongly given to Haryana and Himachal Pradesh. But these are hazards one would accept in such movements and agitations.

What we are concerned with in this chapter is the total rejection of all acceptable norms of a civilized government in its attitudes, behavior and policies towards a patriotic community. And the mid-way point is Operation “Bluestar”. This operation has inflicted a permanent injury on the Sikh psyche. No self respecting Sikh will ever forget what a supposedly secular and democratic government has done. It is important, therefore, that this operation is studied in some detail.

There are a number of factors or, more pertinently, cooked up reason which led up to the launching of the largest ever military operation against a holy place. It is all the more unfortunate that the invaders were the Defense Forces of our own country.

The emergence of Sant Jarnail Singh Bhindranwale, head of the **Damdami Taxal** (a Sikh Missionary Centre founded by Guru Gobind Sing himself), on the centre stage of the religio-political movement of the Sikh nation was a most significant shift from the passivity of the traditional Sikh leadership to one of high voltage, aggressive albeit principled policy. He became the tallest Sikh leader. His selfless pursuit for restoring the Sikh honor brought in his fold thousands of young Sikhs wholly committed to the cause he so convincingly espoused. They would sacrifice their all, life and liberty, without question. A remarkable feature is that although he was brutally murdered on 5<sup>th</sup> or 6<sup>th</sup> June 1984 during Operation “Bluestar”, tens of thousands of the Sikh youth are even now carrying forward his mission. The Indian state has killed thousands. Many more have been incarcerated for years without trial. But there seems to be an unending stream of dedicated young Sikhs enthusiastically joining the militant groups and other over ground organizations like All India Sikh Students Federations. His legacy lives on.

The Sant had often said, “I do not ask for Khalistan but if the government throws it in my lap, I shall take it without hesitation.” And again, “The foundation of Khalistan will be laid the day the Indian Army attacks Harmander Sahib.” Interestingly, the government did exactly that. As a sequel the Sikhs believe that there is no other option left for them. The militants have taken to the gun; the rest of the Sikhs want an independent homeland, inwardly support the militants but, understandably, through peaceful means. Indeed a small percentage of Sikhs, perhaps a mere five percent, are against Khalistan. They have their own vested interests and compulsions.

But let us get on with the narrative. The government launched a vicious propaganda against the Sant, in and outside India. He was dubbed a fundamentalist and “Khalistani” and painted in the blackest terms through sustained propaganda. The Anti-Sikh policies of the Government and the

leaders of a section of urbanite Hindus, mostly of the Arya Smaj cult, such as Lala Jagat Narain, the proprietor of the Hind Samachar group of Newspapers, combined to work up the **Nirankaris** (a deviationist sect of the Sikhs themselves) and denigrate the Sikhs.

Jagat Narain, a fanatic Arya Smajist, was used to spreading canard against the Muslims and had considerably contributed to the Hindu-Muslim rift during the British rule. With the latter having migrated to Pakistan after India's partition, he felt a vacuum, which he filled with even greater dose of disinformation against the Sikhs. As a consequence an unwritten but devilish nexus was formed between the government and the casteist Arya Smaj leadership. This nexus has been the most important single factor in creating the Punjab problem, widening communal divide and frustrating any efforts to find an amicable solution. Whenever the government felt concerned and agreed to a settlement, the Arya Smaj lobby in Delhi, Haryana and Punjab would create a situation that would result in thwarting it.

We have noted that there were many agitations for the creation of a unilingual Punjabi speaking state until, in 1966; a moth eaten sub-state was formed. An even more sinister and discriminatory policy was pursued in respect of the waters of the three rivers - Sutlej, Beas and Ravi - flowing through the Punjab. In contravention of the constitutional, national and inter-national norms as much as seventy-five percent of these waters is being or planned to be diverted to non-riparian states of Rajasthan and Haryana. Since this is potentially the most devastating blow to Punjab's economy (indirectly of the Sikhs), it forms part of a separate chapter, the Rajiv-Longowal Accord. Here we are only concerned with the biggest morcha launched by the Sikhs in their quest for justice, for their constitutional and fundamental rights to prevent this horrific design to take away the only worthwhile natural resource of the State.

With the break down of Prime Minister Indira Gandhi's negotiations with the Akalis on April 5<sup>th</sup>, 1982 after her rejection of the demand for reconsideration of the imposed accord on December 31<sup>st</sup>, 1981 between the Congress Chief Ministers of the states of Punjab, Haryana and Rajasthan, the Akalis launched the **Nehar Roko Morcha** (stopping the digging of the

canal) against diversion of the waters of the Punjab rivers to Haryana. Whilst the government organized a public meeting to inaugurate the digging at village Kapoori on the 8<sup>th</sup> April, the Akalis and **CPM** (Communist Party of India, (Marxist) held a huge protest meeting a few kilometers away. The other important political parties, CPI, BJP and the Janata Party did not participate in this meeting. The refrain of the speakers was out-right condemnation of the December 31<sup>st</sup> agreement as yet another serious discrimination against Punjab. The Akali leaders insisted that the river waters case be referred back to the Supreme Court from where it had been withdrawn by the then Punjab Congress Chief Minister, Darbara Singh, a stooge of the Centre, on orders from the Prime Minister. Among the many undemocratic acts of Indira Gandhi were the blatantly partisan awards given by her or engineered through the government appointed Commissions and Tribunals. Verdicts of the latter are binding and are outside the jurisdiction of the Supreme Court. The aggrieved party is thus presented with a fait accompli without leaving any remedy through judicial or administrative intervention.

On the first day of the morcha, April 24<sup>th</sup>, at village Sarala Kalan, 1000 volunteers of the two parties courted arrest. But Sant Harchand Singh Longowal ordered postponement of the morcha by a month to enable the government to reconsider its stand. In fact, such postponements became quite common during the subsequent two years, which showed the Akalis' restraint and flexibility on the one hand and the government's obduracy on the other.

The Akali's efforts to keep the protest alive, avoid confrontation and to leave the door open for a negotiated settlement was apparently construed by the government as a weakness. It thus took a tough posture, which is evident from Indira Gandhi's declaration on June 7<sup>th</sup> about her "determination to put down misguided elements in Punjab". It stepped up its policy of repression by increasing the number of killings in 'fake encounters'. A case of Kulwant Singh Nagoke is typical. This young man was arrested by the police and produced before the judicial magistrate of Tarn Taran, a sub-division of district Amritsar on June 10<sup>th</sup>. The magistrate remanded him to police custody. Members of the bar, majority of them Hindus, pleaded with him to remand Kulwant Singh to judicial custody as

they were certain that he would otherwise be liquidated. The Judicial Magistrate refused to do so and remanded him to police custody. Next day Kulwant Singh's body was recovered with a dozen bullet marks and handcuffs still on. Police declared it to be a case of 'encounter'. As in all such cases the police planted a revolver on the body of the deceased. Justice A.S. Bains of the Punjab and Haryana High Court went for his routine inspection to Tarn Taran. The President and other members of the bar apprised him of the actual happening. He made a note of this and recommended to the State Government for suitable action against the Deputy Superintendent of Police, Bachan Singh. As usual, the government, being a party to encouraging the police in the commission of such crimes, ignored the Judge's recommendation. In consequence the militant followers of Sant Bhindranwale bumped off Bachan Singh and the nearest members of his family. Bains, who retired shortly afterwards on superannuation, has narrated this episode in largely attended meetings as well as in his written reports as Chairman of the Punjab Human Rights Organization.

Being one of the early cases of faked encounters there were protest meetings in many parts of the State. Two Sikh M.P.s and 30 MLAs also staged a **dharna** (sit-in-protest) at the Prime Minister's residence at Delhi. However, a newly formed militant organization, **Hindu Suraksha Samiti** (Save the Hindus Organization) took it upon itself to burn shops and establishments owned by the Sikhs. On June 21<sup>st</sup>, as many as twenty-five of its members were injured in clashes with the police in Patiala. Although the situation was soon brought under control, the Government remained adamant and did not take any initiative to work out a solution with the Akalis or put a stop to its false encounter line.

Akalis now resorted to passive resistance and launched a **Satyagrah Morcha** (Passive Resistance). Since maintaining a large scale and long drawn out agitation is not possible from any far off village in the countryside, the venue was shifted to Amritsar. A number of close and senior lieutenants of Sant Jarnail Singh Bhindranwale were arrested on flimsy grounds for unfounded crimes. Here it is pertinent to make mention of Jathedar Jagdev Singh Talwandi who had been spearheading a morcha by his breakaway group in Delhi in this very connection.

He too joined the main morcha. Sant Bhindranwale had decided to launch an agitation of his own, by sending fifty-one volunteers to court arrest every day from July 3<sup>rd</sup>, to protest against the arrest of his associates. Chief Minister Barbara Singh declared that he would “deal with (the agitation) firmly” and arrested Baba Thahra Singh, head of the establishment wing of Damdami Taxal at Chowk Mehta and Sant Bhindranwale's chief assistant.

A closed-door meeting between Sant Longowal and Sant Bhindranwale was held at Amritsar on July 22<sup>nd</sup> to review the situation arising from the latter's morcha. A **Panthic** (Sikh religious) convention, as earlier announced by Sant Bhindranwale, was held at Manji Sahib on July 25<sup>th</sup>. Despite the usual strategy of the government of barricading approaches to Amritsar nearly 5000 Sikhs attended. The Sant declared that the morcha would continue. The acting Jathedar of the Talwandi Group, Pandhir Singh also formally announced the cessation of the Delhi morcha and his group joining the Bhindranwale morcha. On July 26<sup>th</sup>, all the separate morchas were merged. It was also decided that the control of the morcha was to remain with the Akali Dal Chief. Sant Longowal formally declared the shifting of the Kapoori village morcha to Harmander Sahib with effect from August 4<sup>th</sup>.

That day, eleven hundred volunteers headed by former Punjab Chief Minister, Parkash Singh Badal courted arrest. The jatha included seventy-one Muslims and five Christians besides the Sikhs. The morcha continued and the number of volunteers put in jail mounted day after day. Sant Bhindranwale was accused of master minding the hijacking of Indian Airlines aircraft on August 4<sup>th</sup> and 20<sup>th</sup>, as well as an attack on Darbara Singh on August 20<sup>th</sup>. However, an encounter, as everyone knows, was ‘staged’ the next day and Gurmit Singh, alleged assailant, was shot dead by the police. In the next few days over a thousand Akali activists were rounded up from various parts of the Punjab with a view to thwarting the morcha. By then over forty-seven hundred volunteers had courted arrest. Gradually the Punjab jails started over flowing and on September 6<sup>th</sup>, a jatha of one thousand had to be kept outside the jail compound at Ludhiana. On September 11<sup>th</sup>, thirty-four volunteers were killed and twenty-one others injured when they were being taken to prison by a government owned bus in a collision with a train. Government did not even

institute a judicial inquiry into the accident. Enraged, the Akali MLAs staged a walkout from the Legislative Assembly. The two communist parties joined in the walk-out. Because of the inhuman treatment of the detainees the High Court passed strictures and made the observation that the Punjab Government's approach towards the Akali agitation was unimaginative and that the prisoners were being treated like "cattle".

Meanwhile the agitation kept gathering momentum and nearly 25,000 Sikhs were under detention by end September. Home Minister P.C. Sethi did, however, admit that the government's assessment of the Akali morcha "proved wide off the mark". On October 11<sup>th</sup>, an Akali procession comprising of three thousand people started from Gurdwara Rikab Ganj (a historic Gurdwara where Bhai Lakhi Shah Lobana, a great devotee of the Sikh Gurus, cremated the body of the martyred Guru Tegh Bahadur by setting fire to his house) towards the Parliament House for peacefully presenting a memorandum to the Speaker was fired at by the police resulting in the death of four Akalis. Be it noted that from the same historic Gurdwara Akalis had launched the Gurdwara Reform Movement sixty years earlier and achieved its aim after thirteen year long struggle.

The government's utter indifference to all these incidents further alienated the Sikhs. It did however decide to release the detainees. Sant Longowal asked them to quit the jails and congregate at Amritsar on October 18<sup>th</sup>, the day the trigger-happy police shot dead one person and injured another. Yet the two Sants appealed to the assembly to remain calm and not retaliate and thus diffused the ugly situation.

During this period a number of bilateral and multi-party meetings initiated by the centre as well as the government sponsored emissaries like S. Swaran Singh, a former Union Minister and other well meaning individuals like Farooq Abdullah, Chief Minister of Jammu and Kashmir who on his own initiative endeavored to help find a solution. All these efforts came to naught. Indira Gandhi would not permit any solution, which may appear to be advantageous to the Punjab, in effect, the Sikhs. Witness her anguish over the Parliamentary Committee's recommendation in respect to Punjabi speaking state, the withdrawal of Punjab Government's appeals on the river waters dispute and the accused in the April 1978 killing of thirteen Sikhs



by Nirankaris at Amritsar, from the Supreme Court. She was personally responsible for sabotaging agreed settlements on two occasions during the negotiations. All her actions and decisions stemmed from three over-riding factors: First, any political or economic decision favoring Punjab, irrespective of its merits, would be viewed as against the interests of one or more neighboring states which would undermine her electoral prospects in those states. Second, her communal propensities, which inhibited her objectivity when dealing with minorities, outweighed all other considerations, and third, her obsession not only to stay in power but also to ensure the perpetuation of the dynastic rule.

On February 27<sup>th</sup>, 1984, she announced from a Gurdwara in Delhi that three religious demands were accepted. It is noteworthy that these were not the outcome of agreements in the on-going negotiations but her unilateral decision. Sant Harchand Singh Longowal called it a 'fraud' and Sant Bhindranwale Singh as 'cheating and bluffing'.

The Akali morchas, bilateral and tripartite meetings as well as the efforts of many well-intentioned persons were all exercises in futility as Indira Gandhi had a special grudge against the Sikhs. They were the only people who relentlessly opposed the Emergency imposed on the country by Gandhi when she had no legal rights to remain Prime Minister, or even a Member of Parliament, after her election was set aside by the Allahabad High Court.

On the one hand she staged the drama of negotiations to solve the issue and on the other to carry out virulent anti-Sikh propaganda through the controlled electronic media and other means to justify her subsequent military operation against the Golden Temple and the community.

Meanwhile the Akali leaders kept postponing the launching of the decisive, long drawn out struggle for the government to come out with meaningful proposals for a settlement. That was a vain hope. The simple-minded Akalis would refuse to face the reality. In its assessment of political options for the electoral success of the Congress in the general elections due end of the year, the Washington Post in an article in January 1984 predicted that Indira Gandhi would play the communal (Muslim or Sikh)

card to capture the Hindu vote and that in all likelihood it would be the Sikh card.

The Akalis took two major steps. Launching of the statewide **rasta roko** (block traffic) morcha from April 4<sup>th</sup> and to raise a force of one hundred thousand Sikh volunteers to make any sacrifices for upholding the honor of the Panth. The government declared that it would deal with the rasta roko morcha with a heavy hand. As many as twenty people who were trying to block traffic peacefully were killed in the unprovoked and indiscriminate police firing - a wholly avoidable massacre -which added yet another dimension to the already surcharged atmosphere in the state. It was also for the first time that a sizeable number of Hindu youth and women turned out in certain localities of Amritsar in support of the morcha.

All the Akali MLAs had earlier submitted their resignations from Punjab Legislature. Since the Speaker was dithering, they stopped attending the meetings of the **Punjab Vidhan Sabha** (State Legislature) as the talks between the government and Akali representatives had failed on February 20<sup>th</sup>, 1983, the dead line for the effectiveness of the resignations. Indira Gandhi informed both Houses of Parliament on March 24<sup>th</sup> about the appointment of one-man Commission (a retired Sikh Judge of the Supreme Court, R.S. Sarkaria) for the review of the Centre-State relationship without making any mention of the Akalis' demand for a similar action, since the announcement of the Anandpur Sahib resolution. Reminiscent of her earlier announcement for conceding some religious demands from a Gurdwara she again made mockery of the negotiations exhibiting her scant respect for democratic norms.

During the period 1981-84 the government's persistent propaganda against Sant Bhindranwale was that he advocated disintegration of the country by demanding an independent Sikh Homeland. This lie needs to be nailed once and for all by quoting the Sant in his own words; reproduced below:

“We want to live in India as a part of India, but want equal rights as citizens of India. We do not want to be treated as second-class citizens whose movements can be stopped from Punjab to Delhi by any Bhajan Lal on the way and who could be humiliated and harassed by Hindus, on the

way to Delhi as it happened during the Asiad in 1982. If we can be given week's notice to leave any place, as it happened at Churu in Rajasthan; if we can be killed at the sweet will of Hindus, as it happened in Haryana in February '84; if our Holy books and Guru Granth Sahib can be burnt by the Hindus; if our hair could be cut, property looted and our women insulted as it happened in February and March '84 in Haryana, then we would not like to be with you. If you treat us as your equal brothers and give us equal rights and opportunities then we would like to stay with you. We don't want Khalistan but it is for you to decide whether you want us in India. If you want to treat us as second rate citizens, harass and humiliate and discriminate against us, then we would rather have an independent state of our own where we can exist with dignity and honor."

One of the methods adopted by the Government to malign Sikhs and poison the Hindu mind is to constantly harp on the theme that Bhindranwale was terrorizing Hindus.

Home Minister P.C. Sethi informed the Parliament in February '84 that out of two hundred twenty persons killed in Punjab between January 1<sup>st</sup>, 1982 to January 31<sup>st</sup>, 1984, one hundred ninety were Sikhs and only 30 were Hindus. It is only where the government failed to do justice and, instead of punishing the criminals, started harassing and torturing the innocent Sikhs, that Bhindranwale advocated action against such people. The fact is that whatever killings took place selectively on buses and in Gurdaspur and Amritsar district after the killing of Sikhs in Haryana were done by the secret agents of "Third Agency" with a political motive of creating a fearful situation for Hindus to win their votes in the ensuing elections after the stage managed Operation "Bluestar".

## **ENTER THIRD AGENCY**

The reader must wonder as to how an elected government (supposedly democratic, for Indira Gandhi had over the years all but decimated democratic institutions and grossly undermined the basic structure of the Constitution) could thwart solution to the Punjab problem, which was becoming more intractable by the day. Any student of political affairs would judge that this policy would greatly harm the country in the long

run. We have of course tried to read her mind and analyzed the reasons for the strange and visibly anti national behavior. Whilst the drama of parleys with the Akalis was being staged for nearly two years before the “Bluestar”, she had organized a super intelligence agency code-named the Third Agency. This agency had to play such a crucial role in the escalation of the Punjab crisis that it deserves a brief examination. Its credo was total loyalty to the prime minister. It had at its disposal unlimited resources. Its boss, R.N. Kao:

“Its mandate in the Punjab was to aid and abet the murders and killings in Punjab. It kept the supply of lethal weapons flowing into the Golden Temple. This Agency also allowed 47 railway stations to be blown up.” (Surya September 1984)

According to some senior officers of Research and Analysis Wing (RAW) who were disillusioned with their service conditions on being relegated to a secondary position by the Third Agency, the launching of the Army action under Operation “Bluestar” and “Woodrose” was scripted, enacted and closed by the Intelligence Agencies under the directions of the Prime Minister, Indira Gandhi. RAW and Intelligence Bureau (I.B.) were used as a front. It was the Third Agency, which had planned and executed the Operation with the following three objectives:

- To clinch the Hindu vote in the rest of India by giving the Sikh community a punch on the nose;
- To take the wind out of the Opposition's sails by doing exactly what they had been saying the Government should do - attack the Golden Temple;
- To test the efficiency of a Third Intelligence Agency camouflaged by the blundering RAW and an inefficient IB.

The Third Agency has been assuming ever increasing role in the government's nefarious design to destabilize non-Congress governments particularly since it initiated, conducted and concluded the Punjab Operation. The historic Sikh Reference Library and most of the priceless

objects were destroyed on purpose forty-eight hours after the 'cease fire'. The entire responsibility for the carnage inside the Golden Temple up to the destruction of the Akal Takht (Seat of the Timeless) falls on Indira Gandhi alone. This 'success' helped her to regain confidence. Hardly had people recovered from the shock of the Army action in Punjab when the Jammu and Kashmir government was dismissed. Only three days after Dr. Farooq's dismissal the ridiculous hijacking took place. And then N.T. Rama Rao was pole axed even as he returned from a major heart operation.

Cast in the same mold, Rajiv Gandhi played similar game as is apparent in that Agency's role to destabilize Assam Government by initiating the Bodo agitation which has attracted sharp reaction from the Press and democratic institutions in India and abroad.

The execution of the plans had two major aims: (a) to kill Hindus by pulling them out of the buses, damage public property such as the burning of railway stations, infiltrate into Sikh institutions and militant organizations and take such actions as would poison the Hindus against Sikhs and (b) to help induct arms into the Golden Temple Complex before staging Operation "Bluestar".

One of the great misfortunes of India is the sole and primary motive of all political parties to capture power by communalizing politics and since Sikhs were being maligned as anti-Hindu and anti-India no political party took a stand against gross injustice and violations of human rights; even genocide of the community by the Indian State. A case in point, the government design to crush the Sikhs would be obvious to anybody who is even remotely concerned with the political affairs of that country. This has gone on for over seven years. Yet the Opposition parties fight shy of protesting strongly for the only reason that through persistent anti-Sikh propaganda the public has begun to believe that the Sikhs are indeed the villain of the piece and that espousing their cause would hurt their electoral prospects. As a result the State has been getting away with the most atrocious brutalities on the community. That leaves the less than two percent of the population of this country to bear full brunt of the might of one of the most ruthless regimes in history.

## THE OPERATION

After effective psychological and military build up in the Punjab, which took over a year, Indira Gandhi was ready for an all out military offensive. On May 27<sup>th</sup>, 1984 she directed the Chief of Army Staff to implement “Bluestar” which had been planned and rehearsed many months preceding the D-Day (First day of launching the attack).

Immediately afterwards, Army formations and units started moving from their peace time locations in the hinterland and were deployed in the Punjab in accordance with the strategic planning with four objects in view. One, to ensure the capture of the Golden Temple, for which a reserve division, 9<sup>th</sup> Infantry Division, was moved from Meerut in Uttar Pradesh. This was a balanced force of some twenty thousand personnel with additional specialized troops. Two, to be prepared to put down any uprising in the countryside. This meant deployment of Army and para military forces to cover the entire Punjab State. Three, to simultaneously assault 38 other historic Gurdwaras all over Punjab synchronizing with the attack on the Golden Temple. And lastly, to seal the border with Pakistan, just in case! In fact, the propaganda’s thrust was that if this offensive was not launched during the first week of June, Sant Bhindranwale would have declared “Khalistan” and Pakistan Army would have attacked and conquered Amritsar and most of Punjab! In all 10 divisions plus were deployed in the Punjab - a force larger than that used during the three Indo-Pak wars.

The bulk of the Indian Army, which is not committed to the Himalayan border facing China, was deployed in this tiny state. It would be a safe guess that more than half the combatant troops of the World's fourth largest Army was employed ostensibly to kill Sant Bhindranwale and a couple of hundreds of his associates. The proverbial case of using a sledgehammer to crack a nut!

The selection of the D-Day on the occasion of Guru Arjan Dev's Martyrdom celebrations, the state-wide clamping of curfew a week before the attack and for many days after the “cease-fire”, the killing of thousands of pilgrims in the Golden Temple and other Gurdwaras will baffle anybody

who does not know or has not analyzed the Indian government's intentions. All efforts for negotiated settlement having been deliberately thwarted by the government and the connivance in smuggling of arms into the Temple Complex was designed to win over public opinion to justify the unprecedented military offensive not only against the holiest Sikh shrine and Gurdwaras but as a full scale undeclared war against the Sikh people. Started in the beginning of June 1984 it is till being pursued with the same ruthlessness. Only the tactics change; the strategy of breaking the Sikh spirit and of inflicting maximum physical injury with a view to reducing them to the status of camp followers remains unchanged. It was also meant to arrogantly show to the world that the Indian Government did not give a damn about the Sikhs, their lives, liberty and their religious sentiments. More of its consequences later . . .

Having briefly examined the strategy let us study the tactical conduct of the battle. The defenses comprised of well-selected and reasonably fortified rooms, underground basements and some positions on the rooftops, an overhead water reservoir and the two towers overlooking the Complex. The architect of these defenses was Ex-Major General Shahbeg Singh, the organizer and trainer of the Mukti Behni in East Pakistan, which played a crucial role in the dismemberment of that country and the creation of independent Bangla Desh. He was later dismissed from the Army on some flimsy charges. Shahbeg Singh was highly motivated and committed to the Sikh cause as propounded by Sant Bhindranwale. In his recorded interviews he had always stated that he had nothing whatsoever to do with the killing of any person before the actual operation. I believe, after due research, this to be true. His only object was to defend the Golden Temple as best he could against such heavy odds that no defender ever had to face in the annals of military history.

Notwithstanding the most heroic fight put up by the defenders it was clear that the handful militants could not possibly last out against the might of the Indian military machine. It must have been equally obvious to both Sant Bhindranwale and General Shahbeg Singh that they had no chance in such a glaringly unequal confrontation. One possible explanation could be that the government would not opt for an all out military offensive. But in

that event they would rather die for the defense of their holiest shrine and bring honor to the Khalsa Panth than surrender.

Space does not permit a thorough examination of the tactics employed in this Operation. In brief, the plan was to initially separate the **serai** (inns) and office block of buildings comprising the Eastern part of the Golden Temple Complex. A road divides the two sets of buildings. Two 80-foot high ancient towers and one water tank overlook the entire complex and the adjoining areas. They served as excellent observation posts and, in particular, covered approaches from the North and East. They were well fortified. In the first phase of the operation the three towers and the seventeen private houses, which had been occupied by Shahbeg's boys well before the operation, with the police looking the other way, were to be neutralized. The Complex was to be cleared next. The main objective comprising of the two shrines, Golden Temple and Akal Takht, were to be cleared of the "enemy" in the final phase.

Major General K. S. Brar, GOC 9<sup>th</sup> Infantry Division, first ordered the blasting of the towers by artillery fire. An area weapon, the shelling caused enormous damage to life and property in various parts of one of the most thickly populated cities in the world. He succeeded in lopping off the tops of these towers. Meanwhile the specially trained and rehearsed commandos tried to work their way up from the narrow street behind the Akal Takht. They were beaten back within minutes. Most of them were killed or wounded. The same fate met those who had assaulted through the Northern entrance under the clock tower. Subsequently, most of the infantry battalions of 9<sup>th</sup> Infantry Division were committed in assaults from the North, South and Eastern entrances. They could not make any headway because of the withering small arms fire from the tactically positioned defenders covering the Parikarma, precincts surrounding the Golden Temple situated in the middle of the holy tank. The frustrated divisional commander reported the matter to his supervisors, Corps and Army Commanders in the Command Post. A relatively junior officer who, for obvious reasons, did not want his name to be disclosed was on duty at the Command Post where Lieutenant General Sunderji was enjoying his drink, Black Label Johnnie Walker, has stated that the three generals could not make up their mind as to what further action they should take. The



flamboyant Sunderji lost his nerve and sought permission from the Chief of Army Staff to employ tanks.

The two State Ministers of Defense, Singh Deo and Arun Singh, were present in the Army Headquarters Operations Room to whom General Vaidya approached for a decision. They, in turn, contacted Prime Minister Indira Gandhi for a decision. Reportedly her directions were, “I don't give a damn if the Golden Temple and whole of Amritsar are destroyed. I want Bhindranwale dead.”

It took two hours after Sunderji contacted Delhi for this order to be relayed back. He immediately directed Brar to use as many tanks as were necessary. This was just what Brar wanted. He ordered a squadron of sixteen Cavalry to enter the Parikarma from the direction of Inns. Seven tanks moved up and let loose a barrage of high explosive and squash head shells. All the ‘overs’ fell in the thickly populated areas causing extensive damage to life and property of the civilian population. The Darshni Deohri, rooms on top of the gateway to the causeway leading to the Harmandir Sahib, was totally destroyed along with the priceless objects collected over the centuries, some sanctified by the Sikh prophets themselves. Whilst the Akal Takht was pulverized into rubble a number of buildings in the city were also destroyed by shells, which missed (over shot) the target.

It is understood that at this stage Sant Jamail Singh Bhindranwale gave permission to his followers to slip out of the Complex but only a small number did so. The Sant, General Shahbeg Singh, Bhai Amrik Singh and Bhai Thahara Singh came out singing God's praises (kirtan). It is reliably learnt that the Sant and Shahbeg Singh were apprehended and tied up. They were subsequently shot dead in cold blood in compliance with Indira Gandhi's personal directions. An estimated one hundred seventy defenders of the shrine attained martyrdom in this battle. But after they had killed or wounded over two thousand of the attackers. There is no record of a more valourous and heroic deed in the history of warfare. Some Indian Army Officers engaged in the battle told Satish Jacob, co-author with Mark Tully: “Amritsar - Mrs. Gandhi's Last Battle” (p. 187) their opinion of the defenders:

“One officer said, ‘Boy, what a fight they gave us. If I had three Divs like that I would fuck the hell out of Zia (the Pakistan President) any day’. Another, ‘I have seen a lot of action, but I can tell you I have never seen anything like this. Those extremists were pretty committed. They took a lot of beating from us. They should have realized that they could not win against the army. If one weapon failed we brought another. When that failed we brought another.’ A third put it more succinctly: “The bloody fellows would not let us in.””

The Government's White Paper (black lies printed on white paper) has grossly played down the casualty figures on both sides and is fit only for the trash can on this as on almost all other counts.

The gory details of the misdeeds and cruelties of the officers and men of the once famous and God fearing Indian Army are so disgraceful that being at one time a proud member of this world renowned Army, my head hangs low in shame and disgust. Therefore, I shall only quote from authentic sources some snippets and leave it to the reader to make his own assessment!

“As a part of the planned strategy almost all the battalions of the Sikh and Punjab Regiments as also artillery and armored units, which had large number of Sikhs on their strength, had already been moved out gradually from Punjab and neighboring states to far off states in Central, Southern and North Eastern states. On issue of the code word Operation “Bluestar” on 27<sup>th</sup> May ‘84, the infantry, artillery and armored formations of the Army Headquarters reserves and those of 1 C 10 Corps stationed outside Punjab, were moved to Punjab by road and rail May ‘84. Units of 1, 2, 10 and 11 Corps were redeployed in the State of Punjab. Additional units of CRPF and BSF were also moved and placed command of the Army.”

(The Only Option for Sikhs - p. 33)

A study of the specific task given to the Defense Forces under Operation “Bluestar” will leave any civilized person aghast; but they do clearly show the government designed to crush the Sikhs. Being somewhat lengthy these have been listed at the end this chapter.

## A DISGRACEFUL RECORD

Of the thirteen tanks used by the Army inside the Golden Temple Complex on the night of the 5<sup>th</sup> to the 6<sup>th</sup> June, seven tanks moved into the **Parikarma** from the Eastern were deployed for attack on the Akal Takht. One of them was destroyed by a young boy of sixteen years who tied explosives around his body and jumped under the moving tank.

By the time it was predawn, the Army had suffered heavy casualties but was able to take control of three-fourths of the Golden Temple complex. After extensive pouring of high explosive tank, gun and mortar shells, besides small arms fire, the Army assaulted the Akal Takht in a succession of waves. Most of the attacking troops were killed or wounded in the initial phases. Throughout June 6<sup>th</sup>, intermittent firing continued from the Akal Takht. During the day the attackers withdrew to safe places inside the Complex.

On the side of **Sri Guru Ramdas Serai** and **Guru Nanak Niwas**, where the defenders, who were in the open, finding themselves helpless against heavy shelling from tanks, escaped through a narrow gate behind Guru Nanak Niwas after midnight. The “brave” Indian Army, having lost face and large number of officers and men, took its revenge on the unarmed innocent devotees. They killed an estimated six thousand pilgrims who had been trapped inside these Serais. Seeing these brutal killings, hundreds of men, women and children had locked themselves in the rooms of the Serais. The attackers took out their wrath by throwing poisonous gas canisters and grenades inside these rooms, killing them mercilessly. If the trapped pilgrims tried to come out, they were shot dead or pierced with bayonets. Eyewitness accounts show that young girls and women were shamelessly raped and disgracefully handled. Small babies and children were caught their feet, lifted up in the air and then smashed against the ground and walls. Not satisfied, they even set fire to the rooms and building of Guru Ram Das Serai, Guru Nanak Niwas and Teja Singh Samundri Hall, burning alive hundreds of Sikh men, women and children inside. To save themselves, some pilgrims ran towards the bathrooms and the toilets, but the vindictive “enemy” killed them there by throwing grenades and gas canisters in the closed toilets and bathrooms. Many

women were found in the rooms and bathrooms sitting dead with their breast-feeding babies in their arms. Over hundred young boys between the age of eight and twelve years were tied up and made to stand in a line. They were beaten up with the butts of the rifles and then asked if they still wanted KHALISTAN. Their only answer was **“JO BOLE SO NIHAL SAT SRI ARAL!”** On hearing the Sikhs war cry the “chivalrous” Indian Army officers were alarmed and shot every single child dead!

Even many **Sevadars**, persons engaged in voluntary service of Sant Baba Kharak Singh, looking after the **langar** (free community kitchen) were not spared their lives. Nearly twenty **sevadars** were caught, their hands and feet were tied with their own turbans, were beaten up, dragged by their hair and shot at point blank range. Two of them were over seventy years of age.

There is a case of about sixty men being herded into a small room and kept there over night. They pleaded with the Army personnel to let them out as they were dying of suffocation and heat, but all in vain. By the morning all but six had died.

In yet another case a brigadier, commander of an artillery brigade, personally shot twelve to fourteen detainees who were among the fifty odd prisoners, in fact, pilgrims, “captured” from the Golden Temple and hoarded in a small room in the Amritsar Cantonment when they tried to get out by breaking open a window to avoid death by suffocation. Their appeals that they were not trying to escape from custody but from suffocation did not move the enraged officer.

The blood thirsty Indian Army was not satisfied by merely killing and molesting thousands of men and women. Children too were not spared. Here is a statement of Ms. Ranbir Kaur, a schoolteacher. She, her husband and twelve children were locked in Room No. 141 of Guru Ram Das Serai:

“We were all huddled together. We didn't know what was happening. The noise was terrifying. We had not been out of the room for more than twenty-four hours and we had no food or water. It was a very hot summer night. I told the children that we must be ready to die. They kept on crying. Early on the morning of 6<sup>th</sup> June the army came into the Guru Ram Das

Serai and ordered all those in the rooms to come out. We were taken into the courtyard. The men were separated from the women. We were also divided into old and young women and I was separated from the children, but I managed to get back to the old women. When we were sitting there the army released one hundred and fifty people from the basement. They were asked why they had not come out earlier. They said the door had been locked from the outside. They were asked to hold up their hands and then they were shot after fifteen minutes. Other young men were told to untie their turbans. They were used to tie their hands behind their back. The army hit them on the head with the butts of their rifles.”

The survivors were taken to interrogation camps. Mrs. Chattopadhyya, a famous social worker, petitioned the Supreme Court. Ranbir Kaur was released; she rejoined three of the twelve children who too were released. Nothing is known of the others.

In order to destroy the historical records of the Sikhs, original documents and manuscripts, the Sikh Research and Reference Library was deliberately set on fire two days after the “cease fire”. Besides source materials, seven hundred copies of the Holy Guru Granth Sahib were also destroyed. Fire tenders were at hand but they were not used to extinguish the fire. Finally, the Punjab Governor B.N. Pande at Chandigarh was contacted on telephone. Pande authorized the use of fire tenders but it was then too late to salvage anything.

The harrowing tales told by the Jodhpur detainees, survivors of the “Bluestar” carnage, from the time they were taken prisoners in the military camps, interrogation centres and finally the Jodhpur jail where they spent anything between three and six years, are a case apart and deserves to be treated as a separate monograph. Suffice it to say that the inhuman treatment meted out to these innocent men will ever remain one of the blackest deeds of the Indian Government and gross violation of human rights.

I have discussed the genesis and conduct of the operation with a number of Army officers, civil administrators and police officers who were directly or indirectly involved in “Bluestar”. Having prepared the ground for

“staging” the military offensive, Indira Gandhi called the Chief of the Army Staff (COAS), General Vaidya to her office. CO AS took with him Lieutenant General Sunderji, GOC-in-C Western Command in whose jurisdiction the State of Punjab falls.

Vaidya and Sunderji had both joined the (British) Indian Army during the last stages of the Second World War as Emergency Commissioned Officers which meant reduced training in the Officers Training School compared to about double the period spent in the Indian Military Academy during peace time, for quick turn over to meet the requirement of officering the Indian Army which had grown ten times its pre-war size. Consequently, these two officers lacked adequate foundation as what, in the Army parlance, is called proper grooming of a gentleman and an officer. But being through the mill and ensuring that they did not blot their copy book both of them got regular commission and in due time rose to the Number One spot. But there was a great deal of difference in their personality make up. Whilst Vaidya was known for indecisiveness and vacillation, Sunderjit was over confident and flamboyant. In keeping with his style, marked more for bravado than substance, Sunderji is reported to have told the Prime Minister that he would clear (capture) Harmandar Sahib within twenty-four hours. What happened subsequently was his obsession with this self-imposed time limit, which resulted in the wholesale massacre and other unimaginable atrocities committed on the innocent, God fearing and unwary pilgrims and the employees of the Temple. Flamboyance and gentlemanliness rarely go together. One could only wish that Sunderji had more of the latter. It may have saved thousands of lives.

A basic principle of command and control is to assign optimum force to a specific task after the superior commander determines through proper military appreciation. In this case the “defenders” of Harmandar Sahib numbered around two hundred. Applying 5 to 1 ratio for an attack, a battalion group (around a thousand combatants) should have been adequate. To achieve quick result a reserve force of similar size would be considered appropriate in view of the built up target area. To make doubly sure and with a view to maintaining laid down command and control set up one would not find fault with a brigade (three battalions) being allotted the

task of capturing the objective. In the event a whole division was committed. Another important principle is that once a formation has been allotted a task it is the commander of that force (in this case the divisional commander) who decides on the detailed conduct of the battle. If, and only if, he runs into trouble would he approach his superior for reinforcements. Operation “Bluestar” was a total negation of this principle. Not only the divisional commander (Brar) but the GOC-in-C (Sunderji) and his erstwhile Chief of Staff and Corps Commander Lieutenant General R. S. Dayal acting as advisor to the governor of Punjab set up a control room close to the outer periphery of the Temple. Thus Brar had two seniors breathing down his neck the whole time. They had clearly forgotten what Napoleon Bonaparte told his government on the eve of his appointment as the Commander-in-Chief of the Army in Italy, “One bad general was better than two good ones.” Both Sundarjit and Dayal were double Napoleon's age. And between them, with ever willing Brar, they made a complete fiasco of the operation.

These commanders got so flustered and enraged at being given a bloody nose by Shahbeg's boys that, in an instant, they also forgot the principle of employment “of minimum force” when dealing with own people. They let loose every thing they had, guns and tanks included, which destroyed the Akal Takht symbolizing double sovereignty, **miri** and **piri** (temporal and spiritual), and a host of buildings besides.

Brar ordered massacre of pilgrims, and others, as “he did not want any prisoners.” No wonder hundreds were shot with their hands tied at the back. He is also an inveterate liar. Witness how he lied about the number of tanks employed. This writer happened to attend his briefing to retired officers shortly after the operation. When I asked him how many women were killed, he hesitatingly answered “five or six.” He forgot to add two zeros.

In regard to employment of armor, Brar is on record lying about the employment of tanks. Here is a quote from “Amritsar - Indira Gandhi's Last Battle” (P. 167-168):

“After the battle Brar told the press that only one tank had been driven on to parikarma, and that it had only fired its secondary armament, a 7.62 mm machine guns. But the damage to the Akal Takht tells a different story. There was no machine-gun which could have brought down so much masonry, and the shell marks were clearly those of high-explosive squash-heads. As for the number of tanks involved, other officers Satish Jacob talked to said that as many as six were brought into the complex. As one Vijayanta only carries forty-four rounds of main armament ammunition, it is certain that the gunners fired from more than one position because the Golden Temple itself was in their area of fire, standing as it does in the middle of the sacred tank.”

Contrast this also with the statement of an NCO of Kumaon Regiment who fought in the battle and was an eye witness to the events of night June 5<sup>th</sup> and 6<sup>th</sup> published in the August '84 issue of PROBE:

“The silence of the night was broken by the rattle of gunfire and the wailing of some of our jawans who lay helpless on the Parikarma. We were helpless; we couldn't go forward to help them. At this point of time General R. S. Dayal lost his cool and ordered that tanks be moved in. It was only after the tanks - seven of them - went into action that we got some kind of a hold over the extremists.”

“The firing from their side was intense. And we had to shoot back in the darkness without being able to pinpoint our target. Anyone seen running was shot. In the process a lot of men and women also died. We were shooting at our own jawans. About fifty of them died of bullets fired by us. “When firing from most of the extremists’ fortifications had been quelled, there was still a heavy rain of bullets. For a while none of us were able to discern the source. Then one jawan spotted a woman who was lying down on the roof of one of the buildings with an LMG in her hand. He scrambled towards her and dug a bayonet into her spine. “

“On the morning of June 6<sup>th</sup>, the Golden Temple complex was like a graveyard. Bodies lay all around in the building, on the Parikarma and in the Sarovar. The sun was shining and the stench from the bodies was becoming unbearable. Bodies of jawans were identified and handed over to



their respective regiments. I, myself, carried the bodies of three soldiers on my shoulders. Each regiment conducted the funeral rites of their jawans.”

“The civilians who had died, about fifteen hundred of them were piled in trollies and carried away. A lot of them were thrown into the rivers. The battle was a tragic one. I couldn't eat anything. Food made me sick. I used to just drink a lot of rum and go to sleep. I am glad now to be relieved of my duty in Amritsar.”

## **OPINIONS OF A CROSS-SECTION OF POLITICAL LEADERSHIP**

One of the known nationalists and perhaps the finest jurists of India, Mr. Ram Jethmalani, then Vice President of Bhartiya Janata Party, gave his candid opinion and impressions in an interview to Surya of July '84 soon after the “Bluestar”. The interview is quoted at the end of this chapter, along with the reactions of some important political leaders.

## **OPERATION “WOODROSE”**

Whilst “Bluestar” was unparalleled, dramatic and destructive beyond words the mopping up operation code-named “Woodrose” was a nightmare for the Sikhs living in the villages of Punjab. The Indian Army which had already discarded the principle of employment of minimum force when dealing with own citizens, the Sikhs, had run berserk and killed thousands of God fearing innocent pilgrims and Temple employees and willfully destroyed large number of buildings including those housing libraries, invaluable objects-de-art and the Akal Takht during “Bluestar”. That week the Army lost its “soul”.

“Woodrose” was in fact extension of “Bluestar”. In war, when the attacking forces capture an objective it is followed through to mop up enemy troops which may be hiding in the vicinity of the objective. In this case the whole of Punjab State was brought under the ambit of mopping up operation. The Army duly assisted by para-military and state police indulged in a most inhuman treatment of the Sikh inhabitants.

Villages were cordoned off at night. All boys and men were collected at one place. They were beaten and interrogated and had to account for any male member of a family who was not present. If told that he had gone visiting some relatives in another village, the unit in whose jurisdiction that particular village was located was contacted on radio. If the person in question was not found there the parents and other members of the family who had originally given the information were given the third degree treatment for which the Indian security forces are so notorious. Whilst men were being put through the grind, the houses were systematically searched. There were numerous instances of molestation of young girls and women and wholesale looting.

These and many other forms of intimidation and humiliations were resorted to millions of Sikhs living in the countryside suffered in one form or another including wanton killings and illegal arrests. The operation continued with full fury until the Rajiv-Longowal accord was signed months later. Together with “Bluestar”, “Woodrose” would go down in history as the most fiendish exercise, not only during peacetime but also even in war, not in an occupied territory but in one's own country.

The frustration and insecurity drove some young men to seek shelter in the neighboring country. Pakistan, which had been looking for doing the “Bangladesh” on India, seemingly grabbed the opportunity and, notwithstanding its denials trained some of these boys to carry out insurgency in India. This kind of thing has been going on ever since, although it is only fraction of what India did vis-a-vis East Pakistan, now Bangladesh.

## **SPECIFIC TASK UNDER OPERATION BLUESTAR**

### **ORDER FOR PHASE I: “OPERATION METAL”**

1. To kill all Sikhs armed or unarmed within the Golden Temple irrespective of their being children, women and pilgrims excepting priests and sevadars of Golden Temple.

2. To destroy Akal Takht, the highest seat of Sikhs and the symbol of Sikh authority and sovereignty.
3. Where it is not possible to kill Sikhs by use of infantry, artillery, armored cars and tanks, the commandos were to use poisonous gases and chemical warfare including burning and destruction of adjoining buildings in order to kill the Sikhs.
4. (a) To bombard all important and historical Gurdwaras in Punjab with a view to kill Sikhs and destroy their shrines, and then use infantry and armor to mop up and kill Sikhs left in the shrines, (b) to harass, humiliate, hit and torture all Sikhs, particularly ardent and devout ones, and to kill them by shooting on slightest pretext throughout Punjab and particularly in Amritsar.
5. To destroy all Sikh houses and shops around Golden Temple by artillery bombardment and by setting fire to the buildings by use of inflammable incendiary bombs.
6. Orders were issued not to take prisoners, and to ensure that as far as possible no eyewitness were left to expose the horrifying tales of the “Operation Extermination of the Sikhs”.
7. To protect Hindus at all cost and to give them encouragement and freedom to oppress joy and celebrate the killing of the Sikhs by the Army.
8. To provoke religious sentiments of the ardent and devout Sikhs by fiddling with their turbans and flowing beards and by removing their kirpans; and if they provoked or showed any resistance, to shoot them down on the spot.
9. To suspend all means of communication within Punjab, and from the rest of the world to Punjab.
10. To cut off Punjab from the rest of the world by suspending telephones, telegraph, and postal services so that no news circulates

within Punjab and no news reaches outside the Punjab as to what is happening.

## **ORDERS FOR PHASE II: “OPERATION SHOP”**

1. To comb and search all the villages and towns of Punjab and to shoot the Sikhs warning if any of them shows even slightest of resistance.
2. To kill Sikh men, woman and children without any fear of explanation. Even sepoy were given full authority to kill.
3. During cordon and search operations, to carry out a close personal search of all men, women and young girls and children.
4. To carry out search of all houses and to remove all weapons, even agricultural equipment and instruments which could be used as weapons.
5. There were specific orders that Hindus will not be searched. Only Sikhs will be searched, humiliated and killed.
6. All Sikhs travelling by buses, trains, cars, motorcycles and carts from village to village and town to town in Punjab, or travelling from outside the State, or going out of Punjab, were to be searched thoroughly and if anybody offered any type of resistance, they were either to be shot as a suspected terrorist or beaten thoroughly and taken to the concentration camps.

## **ORDERS FOR PHASE III**

1. After combing of the villages and towns was completed, the Army was to continue manning check points on roads and tracks, and villages and towns to harass, humiliate and search Sikhs in order to create a sense of fear in them.

2. Army was ordered to take particular care to protect the life of Hindus in villages and towns by creating scare among the Sikh masses through committing genocide of Sikhs.

3. Strong mobile reserves were to be located at various focal points to deal with sudden gatherings of Sikhs.

4. Full freedom and authority was given to Armed Forces to harass and humiliate Sikhs in order to bring their morale down, and to encourage and help Hindus in order to raise their morale by giving them a sense of victory over Sikhs.

5. To keep patrolling villages and towns with a view to round up young Sikhs within the age group of fifteen to thirty-five years with the intention either to kill them in fake encounters or to evacuate them to concentration camps with a view to kill them thereby torturing.

(The Only Option for Sikhs, pages 34-36)

(Phase II and III covered directions for Operation “Woodrose” operation covering the entire state of Punjab.)

## **OPINIONS OF SOME POLITICAL LEADERS**

Ram Jethmalani (interview with Surya)

Q: Do you agree with the view that it was necessary for Bhindranwale to be surgically removed?

A: There can be only one answer to that question. In a society governed by the rule of law there is no surgical removal of anyone. The rule of law requires that everybody should be tried according to the law. The police, para-military force and even the armed forces have the right to act in aid of stale authority, because this is not war. The only right that they have is to apprehend people reasonably suspected of crime. In effecting those arrests, if anybody opposes for arrest, they have the right to use reasonable force,

but reasonable force, not for the purpose of extermination, but for the purpose of apprehension. As a person wedded to civil liberties and the rule of law, I can tell you even now, that the army action has been wrong.

Q: Was it unconstitutional?

A: Well, the facts are not known. The question is what orders were given to the army? If the army was told that people there, and you go and arrest them but if force by reasonable force, it would be than was necessary in either disabling or arresting, it is unconstitutional. It is illegal. The circumstantial evidence unfortunately discloses that the army seems to have gone in with a determination to kill, not to capture alive. I hate to say it, but according to me this amounts to murder.

Q: Most people are going on the assumption that Mrs. Gandhi had no other option?

A: There were options. I have reliable evidence that there were other options. But I am suspending judgment till all the facts are revealed. However, it is reasonably credible evidence.

Only today a young man had come to me, who at the instance of Rajiv Gandhi, met Saint Bhindranwale.

Q: In what capacity did he meet Bhindranwale?

A: Well, he was asked to meet Bhindranwale as an intermediary. The Saint said that you are a good man and a wise man, whatever settlement you will go and arrive at, I shall put my thumb impression on it. I have asked the young man to swear an affidavit.

Q: Who is this young man?

A: His name is Dr. Ravi Singh. He is a very prominent man in Mrs. Gandhi's intimate circles.

He reported the result of his conversation to R. L. Bhatia, president of the state unit of the Congress (I). The matter was passed on to Mrs. Gandhi but she backed out. Later Ravi Singh was told that, “we'll talk only after the army action.”

There was also an article by Harkishan Singh Surjeet, which showed that the matter was capable of settlement at five different stages. I've always felt that there was no intention to settle this problem on the part of Mrs. Gandhi. Deliberately, this animosity between Hindus and Sikhs has been kept up. For what reasons, it is not very difficult to fathom.

Q: Could you spell them out?

A: Mrs. Gandhi feels that her electoral advantage now lies in projecting herself as the protector of Hindus. Her primary ambition is power at all costs. And everything else fits into that strategy.

Q: One thing that does not seem to fit is as to why the Hindu voters should be fooled by such tactics?

A: Why do you talk of Hindu voters as such? Talk of great leaders like Charan Singh & Bahuguna, even they were fooled by Mrs. Gandhi in 1979-80.

## **CHANDRA SHEKHAR**

Janata Party President Chandra Shekhar blamed the Congress (I) leadership and the Union Government for the Punjab tangle. He said, “History had never been such callous in not finding a quick solution. Punjab today is bleeding and people there have not got any succor. Even after the Army intervened, peace has not returned to Punjab.”

## **A.B. VAJPAYEE**

The Bhartiya Janata Party President, A. B. Vajpayee, blamed the Prime Minister, Mrs. Indira Gandhi for the “unfortunate” situation prevailing in Punjab. He said the Army takeover in Punjab could have been avoided if

the Prime Minister had taken the initiative last year when a settlement was in sight during the tripartite discussion.

The BJP president said the Central Government had failed to inform the people about the actual damage caused to the Golden Temple during the military action.

### **RAMESHWAR SINGH**

The Lok Dal described the Army action in Amritsar as a “political stunt” aimed at “exploiting the sentiments of the people to achieve election gains”. The Lok Dal Secretary, Mr. Rameshwar Singh, said that the “mother-son-combine” (Mrs. Indira Gandhi and Mr. Rajiv Gandhi) had timed the army action in Punjab with an eye on the coining Lok Sabha elections.

Such actions are used as a part of the election strategy as in the past. Mrs. Gandhi should stop the use of the army for election purposes. Otherwise the country would be threatened with disintegration, he said.

### **H.N. BAHUGUNA**

The Democratic Socialist Party chairman, H.N. Bahuguna asked the Prime Minister, Mrs. Indira Gandhi, to own-up responsibility for the disastrous failure of her Government and resign.

In a statement on the deployment of armed forces in Punjab Mr. Bahuguna said that the Punjab problem is a political problem and needs a political solution. “The army obviously cannot provide that. The Government seems neither inclined nor capable to do what is necessary to break the impasse.” He said induction of the Army in Punjab leaves no doubt about the total breakdown of the law and order.

### **SWAMY**

Mr. Subramaniam Swamy, Janata leader, said that the Prime Minister had “no moral sanction” for taking military action in the Golden Temple



Complex in Punjab and it would take a “long time for the terrific wound that had been inflicted on the Sikhs to heal.”

Referring to the death of Sam Bhindranwale, he told a press conference that he had “never been convinced that Bhindranwale had been directing the killings in Punjab.” Mr. Swamy said Mrs. Gandhi should have conceded the four demands of the Akalis.

## **BAKSHISH SINGH**

The Punjab Regional Committee Proletariat Party in India has criticized the Government's move. According to Mr. Bakhshish Singh, secretary of the Party, the only solution to the Punjab problem was the acceptance of the genuine economic and political demands of the people and not the use of military force.

## **MAHANTA**

The All Assam Students Union (AASU) has expressed concern at the entry of the armed forces in the Golden Temple, Amritsar. In a statement, Mr. Prafulla Kumar Mahanta and Mr. Bhriku Kumar Phukan, president and general secretary of the AASU respectively, said the Punjab problem could have been solved through negotiations even without forcing the Army to enter the places of worship.

## **LEADERS OF BANGLADESH**

Three Bangladesh political parties condemned the army action in the Golden Temple Complex.

The Bangladesh Muslim League, the militant National Democratic Party and the left-wing Democratic Worker's Forum issued statements criticizing it.

## **AUTHOR'S NOTE**

The extent of the virulent anti-Sikh policy of the government can be judged from the fact that Mr. N. T. Rama Rao, erstwhile Chief Minister of Andhra Pradesh was sued by the Congress (I) for condemning Operation “Bluestar” and dubbed a traitor! This is a part of the judicial record.



**A Sikh tortured and butchered  
in extrajudicial killing by the Indian Paramilitary Forces**

## CHAPTER VI

# GENOCIDE OF THE SIKHS NOVEMBER 1984

### RETRIBUTION

The Sikhs in India were still licking their psychological and physical wounds inflicted by the Indian State during Operations “Bluestar” and “Woodrose” when another tragedy befell them. Indira Gandhi, the prime minister who was primarily responsible for these two notorious operations was gunned down by Beant Singh, a police sub inspector and constable Satwant Singh who were on guard duty at her residence in Delhi. They were both Sikhs. Notwithstanding the controversy raised by the Thakkar Commission's voluminous report about the conspiracy behind the assassination, the Sikhs were convinced that they were motivated by the sole consideration that their holiest shrine, **Harmandar Sahib**, was deliberately destroyed by her. In the Sikh tradition any one who attacked it during some four hundred years of its existence had been executed. It was only a matter of time when she would meet the same fate. Had it not been Beant Singh and Satwant Singh some other Sikh would have done the job. General Vaidya, the Chief of the Army Staff was shot dead for the same reason, at his hometown Pune, a thousand miles from Amritsar. There is no evidence to suggest that the killers of these two persons had ever met, let alone conspired together.

The fateful time was 9:40 a.m. on the morning of October 31<sup>st</sup>, 1984. Beant Singh, immediately after pumping the bullets from his revolver, threw down the weapon and said, “I have done my duty; now you do yours.” He and Satwant Singh were taken to the guardroom, and after about half an hour, both men were shot by the officer in charge and one of his subordinates. Beant Singh died on the spot and Satwant Singh was critically wounded. There were thus two murders that day - of Indira Gandhi and Beant Singh within a space of half an hour. Whilst Satwant Singh was executed after one of the longest drawn legal proceedings along

with Kehar Singh, whom everyone knew to be absolutely innocent, no case has been registered against the killers of Beant Singh. But that is not the end of the story. The ingenious Indian Government later came up with the larger conspiracy theory involving four persons, including Simranjit Singh Mann who was a senior police officer posted at Bombay. He wrote to the President resigning from service giving reasons for this step in the wake of “Bluestar”. Interestingly his resignation was not accepted but the Government, however, chose to dismiss him! Two of the other accused were academicians, lecturers in a Bombay College, and the fourth, a businessman.

Indira Gandhi's surviving son Rajiv had by then succeeded his younger brother Sanjay as the confidant and adviser to his mother. She had already started grooming him to succeed her by first getting him elected to the parliament and then making him the general secretary of her party. So long as Sanjay lived, Rajiv was not ever mentioned in the political circles and was kept aloof from the government controlled electronic media by her mother. On the other hand Sanjay got a minimum of half hour on Door Darshan (Indian TV) every week on Indira's orders. It must be said to Rajiv's credit that he learnt his new job fast in mastering the wiles of his mother's politics. Truth, honesty, morality and ethics had all but lost their significance for him. Being privy to the launching of the “Bluestar” violence, destruction of holy places, killing and incarceration of innocent people had become part of his credo.

On October 31<sup>st</sup>, 1984 he was touring Eastern parts of India when he received the news about his mother being injured. Indian Government did not declare her dead until 6:00 p.m., over eight hours after the event. His immediate reaction was to switch on the BBC, which showed his ‘confidence’ in the national TV! He was sworn in as the Prime Minister by a very, very loyal Sikh, President Zail Singh, at 6:30 p.m. This must be the only example in the history of democracy that a person who was not even a minister was elevated to Number One spot Zail Singh was to regret this show of filial loyalty to his mentor, the Nehru family when he was repeatedly to be insulted and ignored by the upstart prime minister and his stooges in and outside the Cabinet. But the Sikh community as a whole had

to pay a million times more in blood and humiliation because of the “instant” Prime Minister Tail Singh had imposed on the country.

Rajiv is reported to have made some remarks, which his later actions substantiated, eg. “Finish them (Sikhs) off. I do not want to see any turban in and around Delhi”. Yet until late evening on the 31<sup>st</sup> October there was hardly any reaction against the Sikhs. Here is Journalist Dev Dutt's eyewitness account:

“By 4:30 p.m. on 31<sup>st</sup> October, a crowd of about three thousand to four thousand had gathered around the AIIMS in front of the main entrance gate of that institution. There were slogans mostly in praise of Mrs. Gandhi, and a few slogans threatening revenge. But there was no tension. There were a number of Sikhs in the crowd. Their faces showed no fear or apprehension, although everyone knew that a Sikh had assassinated the Prime Minister. We talked to some of them in order to gauge their state of mind. The Sikhs seemed to be supremely confident about the goodwill of their Hindu brethren. It seems they nursed no suspicions against the Hindus. They did not show any traces of nervousness of any kind. The non-Sikhs in the crowd did not seem even to notice the presence of Sikhs and took their presence as normal. While this crowd waited patiently for the dead body of the Prime Minister to be brought out, the flow of traffic and business in the kiosks around the wall of the Safdarjung Hospital went on as usual.”

By then the anti-Sikh propaganda to incite the Hindus was well under way. Here are some samples:

“The Sikhs have poisoned the drinking water reservoirs.”

“Trains coming from Punjab are full of dead bodies of Hindus (killed by the Sikhs).”

“The Sikhs are celebrating Indira Gandhi's death by distributing sweets and dancing **Bhangra** (the Punjabi folk dance).”

During night of 31<sup>st</sup> October plans were prepared and their execution commenced. Mobs were collected from the neighboring villages and

suburban colonies, led by the Congress (I) leaders and police officers. Sikhs were systematically killed, their properties looted and destroyed by fire. Sikh women and girls were gang raped and abducted by the thousand. The hooligans were given weapons, rum, money, combustible materials like gasoline and special black powder. Government transport was organized to bring miscreants from distant places. The attackers were well briefed. The gang leaders, politicians and police officers, had lists of the Sikhs living in various localities. If there was any resistance by some Sikhs, the police took away their licensed arms stating that such weapons would attract reprisal. There are numerous instances of the police officers using their official weapons to kill. They also gave confiscated weapons to the attackers and pointed out targets.

The Sikh policemen had been earlier disarmed and confined to barracks. Sikh Army officers and men were directed to stay in-doors.

People's Union for Democratic Rights (PUDR) and Peoples Union for Civil Liberties (PUCL) in their joint enquiry report into the causes of the "riots" (pogrom) in Delhi from October 31<sup>st</sup> to November 10<sup>th</sup>, 1984, entitled "Who Are The Guilty" is the most authentic version of the happenings of those days. Since the case studies were undertaken and surveys conducted during the peak period of genocide some of their findings are recorded in succeeding paragraphs.

In the Preface, the authors Gobinda Makhoty, President, PUDR, and Rajni Kothari, President, PUCL, state:

"Our report is based on case studies carried out in the trans-Jumuna and West Delhi areas. It is by no means exhaustive and covers only partially the killings, arson and brutalities committed in other parts of Delhi."

I quote another observation from the same preface:

"The recent riots prove that the Government has given license to Hindu communalism and a handle to Sikh fundamentalism. The victims of the carnage as well as other members of the Sikh community, out of fear and insecurity, may increasingly tend to think in terms of separation and

religious exclusiveness. It is because of this that the responsibility of secular and democratic minded citizens to reassure the Sikh community is of paramount importance.”

The fact finding team organized by these two impeccable human rights organizations have come to the conclusion that:

“The attacks on members of the Sikh community in Delhi and its suburbs during the period, far from being a spontaneous expression of ‘madness’ and of popular ‘grief and anger’ at Mrs. Gandhi’s assassination as made out to be by the authorities, were the outcome of a well-organized plan marked by acts of both deliberate commissions and omissions by important politicians of the Congress (I) at the top and by authorities in the administration. Although there was indeed popular shock, grief and anger, the violence that followed was the handiwork of a determined group, which was inspired by different sentiments altogether.”

“Experiences of individual members of the team as well as their extensive interviews with the (i) victims of the riots; (ii) police officers who were expected to suppress the riots; (iii) neighbors of the victims who tried to protect them; (iv) army personnel; (v) political leaders, suggest that the attack on the Sikhs followed a common pattern, whether they took place in Munirka in the South, or Mangolpuri in the West, or Trilokpuri in the East. The conformity in the sequence of events, at every spot in such far-flung places, proves beyond doubt the attacks were masterminded by some powerful organized groups. As a senior army officer deployed in Delhi during the recent riots said: ‘This arson is the work of an expert’. Newspaper reports suggest that this pattern is similar in all Congress (I) ruled states.”

“There was also a definite pattern discernible in the choice of the victims made by the assailants. According to the 1971 census figures Sikh males in the age group twenty to fifty number approximately one hundred thousand. The Sikhs who were killed in the recent riots largely belonged to this age group. The official estimate is only three hundred twenty-five killed (including forty-six Hindus) till November 7<sup>th</sup> (HINDUSTAN TIMES, November 11<sup>th</sup>) sounds ridiculously low compared to the magnitude of

arson, lynching and burning alive of people in the resettlement colonies alone. On the basis of information gathered from various sources, including eye witnesses, survivors and relatives of the dead, the team estimates that the number of those killed is more than a thousand.”

Even this estimate is a gross understatement, possibly because the team could only survey some parts of the capital. Government has since admitted that those killed numbered around twenty-eight hundred. **In actual fact between fourteen and fifteen thousand Sikhs were massacred and over six hundred girls were abducted. Besides, majority of the Gurdwaras numbering over five hundred were wholly or partially destroyed.** Many **Granthis** (priests) were burnt alive and copies of the Guru Garanth Sahib were desecrated. The Congress goons and hirelings took pleasure in tearing up, burning and urinating on the holy book.

Commenting on the rumors of water-poisoning and trainloads of Hindu dead bodies arriving at Old Delhi station from Punjab the fact finding team reports:

“We came across evidence of policemen in vans touring certain localities and announcing through loudspeakers the arrival of the trains and the poisoning of water. In certain areas, we heard that police officials had rung up residents advising them not to drink water. These rumors (the last two were officially repudiated later) contributed to the shaping of a public mind that acquiesced in the attacks and murders that took place soon after.

“The second phase began with the arrival of groups of armed young people in tempo vans, scooters, motorcycles or trucks from the night of October 31<sup>st</sup> and morning of November 1<sup>st</sup> at various places like Munirka, Saket, South Extension, Lajpat Nagar, Bhogal, Jangpura and Ashram in the south and south-east; Connaught Circus shopping area in the centre and later the trans-Jumuna colonies and resettlement colonies in the other areas in the north. With cans of petrol they went round the localities and systematically set fire to Sikh houses, shops and Gurdwaras. We were told by the local eye-witnesses in all the areas we visited, that well known Congress (I) leaders and workers (their names are to be found in Annexure-II) led and



directed the arsonists and that local cadres of the Congress (I) identified the Sikh houses and shops. A senior police official, who for understandable reasons does not want to be named, pointed out: ‘The shop signs are either in Hindi or English. How do you expect the illiterate arsonists to know whether these shops belonged to Hindus or Sikhs, unless they were identified to them by some one who is either educated or a local person?’ In some areas, like Trilokpuri, Mangolpuri and the trans-Jamuna colonies, the arsonists consisted of Gujjar or Jat farmers from neighboring villages, and were accompanied by local residents, some of whom again were Congress (I) activists. In these areas, we were told, Congress (I) followers of the Bhangi caste (belonging to the scheduled caste community) took part in looting. In South Delhi, buses of the Delhi Transport Corporation (DTC) were used by the miscreants to move from place to place in their murderous journey. How could the DTC allow its buses to be used by criminals?”

“The attacks in the resettlement colonies, e.g., Trilokpuri in the trans-Jamuna area and Mangolpuri in the west, where the maximum number of murders took place, again displayed the same pattern. The targets were primarily young Sikhs. They were dragged out, beaten-up and then burnt alive. While old men, women and children were generally allowed to escape, their houses were set on fire after looting of valuables. Documents pertaining to their legal possession of the houses were also burnt in some areas of Mangolpuri we heard from the survivors that even children were not spared. We also came across reports of gang rape of women. The orgy of destruction embraced a variety of property ranging from shops, factories, houses, to Gurdwaras and schools belonging to the Sikhs. In all the affected spots, a calculated attempt to terrorize the people was evident in the common tendency among the assailants to burn alive the Sikhs on public roads. Even five days after the incidents, on November 6<sup>th</sup>, in the course of one of our regular visits to Mangolpuri we found that although the ashes had been cleared, the pavement in front of the Congress (I) office was still blotched with burnt patches, which the local people had earlier pointed out to us as spots where four Sikhs were burnt alive.”

## ROLE OF POLICE

It has been authentically reported that all through the period from October 31<sup>st</sup> to November 4<sup>th</sup>, the height of the genocide, the police all over the city uniformly betrayed a common behavior pattern, marked by (i) total absence from the scene; or (ii) a role of passive spectators; or (iii) direct participation or abetment in the orgy of violence against the Sikhs. On November 1<sup>st</sup>, police were conspicuous by their absence while Sikhs' shops were being looted and set on fire. Young people armed with swords, daggers, spears, steel trishuls, and iron rods were ruling the roads. The only sign of police presence was a police jeep, which obstructed a peace procession brought out by a few concerned citizens (who later organized themselves into the Nagrik Ekta Munch) on the evening of November 1<sup>st</sup>. When the procession was on its way to the Lajpat Nagar main market, a police inspector from the van stopped the procession, warned it not to proceed reminding its members that the city was under curfew and section 144. When leaders of the procession wanted to know from the police inspector why the arsonists and rioters were not being dispersed if curfew was on, he gave no reply and warned instead that the processionists could go to the Lajpat Nagar market at their own risk. At the Lajpat Nagar market, leaders of the procession sought to pacify the mob by pointing out that innocent Sikhs were not responsible for Mrs. Gandhi's assassination and should be protected from the attacks. They raised the slogan: "Hindu-Sikh bhai bhai (brothers)!" As the crowd began to listen to the speeches made by the procession leaders, organized attempts were made by certain groups from among them to shout down the speakers, by raising the slogan: "Indira Gandhi Zindabad: Hindu-Hindu bhai bhai". Attempts to pacify the killers by the peace marchers were met with derisive laughter. Listening to their raucous exultation and looking at their gleeful faces, one would have thought it was a festival, but for the arson and loot that was going on.

In the resettlement colonies, the police came out from their passive role and directly participated in the violence against the Sikhs. Survivors narrated that at the first sign of tension those who felt threatened personally went to the nearby police stations to seek their intervention. But the police did not respond. In Trilokpuri, the police reportedly accompanied the

arsonists and provided them with diesel from their jeeps. The Station House Officer (SHO) of Kalyanpuri police station under which Trilokpuri falls, withdrew the constables who were on duty there when Sikh girls were being raped. In Sultanpuri, the SHO, one Bhatti, is alleged to have killed two Sikhs and helped the mob in disarming those Sikhs who tried to resist the mob.

The fact-finding team has recorded:

“Several residents of Loni Road in the trans-Jumuna area, who were camping at Shakarpur when we interviewed them on November 7<sup>th</sup>, told us that the police announced on loudspeakers two or three times at night on November 1 that they would not be responsible for the safety of the Sikhs and that the latter must look after themselves. One woman from the same area said she had seen a police jeep full of men and that the stoning of Sikh shops was conducted from the jeep. Another resident from the same road said that the police had incited the looting of a watch shop before it was burnt.”

“In Kotla Mubarakpur, a domestic worker told our team members that the police had encouraged the looting. Later they were reported to have said to the looters, ‘We gave you thirty-six hours. Had we given the Sikhs that amount of time, they would have killed every Hindu’.

In the Kingsway Camp, residents claimed that seventy percent of the loot was to be found in the police lines, suggesting that the police took a leading role in the plundering.”

When after the destruction and murders, people went to complain and file FIRs, the police in many areas refused to record their complaints, according to information gathered from the Hindu neighbors of the victims. A respectable Sikh professional whose house was burned on 1st November was not able to register an F.I.R. despite all efforts. In Mangolpuri we were told, a police officer asked the Hindu complainants why they were protecting Sikhs and advised them to look after the safety of Hindus. Typical was the experience of Dharam Raj Pawar and Rajvir Pawar, two residents of Her Sarai, who on November 1<sup>st</sup>, went to the Sector IV R.K.

Puram police station to ask for protection of a Sikh family (which till then was being sheltered by Hindu neighbors from impending attacks by a mob led by a Congress-I man, Jagdish Tokas). The officer in charge of the police station reportedly told them that he could not offer any help. Two constables later said to them ‘You being Jats should have killed those Sikhs. What are you doing here? Don't you know a train has arrived from Punjab carrying bodies of massacred Hindus?’

A few individual police officials who did try to intervene and stop the riots found their efforts frustrated primarily through lack of cooperation from the top. One senior officer told us that when on October 31<sup>st</sup> and November 1<sup>st</sup>, he received reports about some two thousand to three thousand people moving around the city on scooters and motorcycles without helmets, he contacted the CID seeking information from them regarding the identity of these people. Till November 3<sup>rd</sup> when we met him, he had not received any report from the CID.”

“While analyzing the role of the police during the crucial period we cannot afford to ignore the responsibility of those in position of authority at the top, namely the Home Ministry. The Home Minister, Mr. Narasimha Rao who was inducted in the new Cabinet by Prime Minister Rajiv Gandhi soon after Mrs. Gandhi's death, was empowered in his capacity as a Home Minister to deploy the para military forces (if the Delhi police force was found to be inadequate or inefficient) to quell the violence that erupted following the announcement of Mrs. Gandhi's death. Mr. Rao is not a new incumbent who is unaware of the procedural technicalities. We are left with the question why did Mr. Rao, with his past experience as a Home Minister in the previous Cabinet, fail to take the necessary steps and summon the forces available to him to nip in the bud the communal elements that organized the riots?”

## **ROLE OF THE ADMINISTRATION**

“Men at the top in the administration and the ruling party displayed repeatedly a curious lack of concern often bordering on deliberate negligence of duty and responsibility throughout the period of October 31<sup>st</sup> to November 4<sup>th</sup>. From our talks with various Opposition Party leaders and

prominent citizens we found that many among them had got in touch with senior Ministers as well as people in the Delhi Administration on October 31<sup>st</sup> itself, warning of impending troubles following the announcement of Mrs. Gandhi's assassination. The newly sworn-in Home Minister P.V. Narasimha Rao was said to have assured the BJP leader Atal Behari Vajpayee on October 31<sup>st</sup> evening that "everything would be brought under control within a couple of hours", (The Statesman, November 10<sup>th</sup>, 1984). Yet, at the same time on the same day, Gautam Kaul, Additional Commissioner of Police in front of the All India Medical Institute, referring to the disturbances which were just breaking out, said: "We cannot deal with the situation of this nature", (Indian Express, November 1<sup>st</sup>, 1984). Strangely enough, even after this, Mr. Kaul has been made Additional Commissioner, Security. In spite of such warnings given well in advance, those in positions of authority did not seem to bother to take any firm step.

"Soon after the assassination (October 31<sup>st</sup>), we heard from a reliable source, a meeting was held at 1 Safdarjung Road, the Prime Minister's official residence where the then Lieutenant Governor P. G. Gavai, a Congress (I) leader M.L. Fotedar, and the Police Commissioner among others, met. A senior police officer present at the meeting expressed the view that the army should be called as otherwise there would be a holocaust. No attention was paid to the view.

"On November 1<sup>st</sup>, when almost all of Delhi was aflame, an opposition MP rang up Mr. Shiv Shankar, a Minister in Rajiv Gandhi's new cabinet, and the Home Minister, Narasimha Rao, to inform them about the situation in the city and the need for army action. The Ministers were reported to have assured them that army was about to be called and curfew would be imposed. Several citizens including some senior government officials went to the President of India on the afternoon of November 1<sup>st</sup>, and they were told that the Government was still considering whether to call out the army. But our experience on November 1<sup>st</sup> tells a different story. As already mentioned earlier, till late night there were no signs of either curfew or army, while miscreants were on the rampage in front of the police. In the heart of the city-Connaught Circus-Sikh owned shops were being set on fire under the nose of heavy para-military and police pickets. We later

heard that the DC of Faridabad had asked for army on November 1<sup>st</sup>, but troops arrived only on November 3<sup>rd</sup>.

"On November 2<sup>nd</sup>, although the newspapers that day announced three official measures; (i) clamping of an indefinite curfew; (ii) shoot at sight orders; and (iii) deployment of army since 2 p.m. the previous day, when we went around South Delhi in the afternoon on November 2<sup>nd</sup>, we found that the miscreants were not only at large, but had swelled in numbers and had become more defiant."

In the Lajpat Nagar market, while police pickets sat by idly, hundreds of young men, armed with swords, trishuls and iron rods, blocked the main road. Around 2:00 p.m. an army convoy passed through the road. The miscreants did not scamper or panic. They merely made way for the convoy to pass by temporarily retreating to the by lanes, and regrouped themselves as soon as the convoy left and began intimidating a peace march that had arrived on the spot."

"On the morning of November 2<sup>nd</sup>, 8:30 a.m. onwards two opposition M.P.s repeatedly requested both Mr. Narasmiha Rao and Shiv Shankar to provide army protection to trains carrying Sikh passengers arriving from Punjab. No troops were sent, with the result that every train was left at the mercy of gangsters who dragged out Sikhs from the incoming train compartments, lynched them, threw their bodies on the platforms or the railway tracks and many were set on fire. Newspapers report that 43 persons were killed, this was denied by Doordarshan in the evening. Visiting the Taghlakabad station around 3:30 p.m. The STATESMAN reporter saw 'two bodies still smoldering on the platforms, right in front of the armed force standing on the opposite platforms across the tracks.' (November 3<sup>rd</sup>, 1984). The troops had either arrived after the incident, or the incident took place in front of the troops who did not intervene."

"While analyzing the role of the administration, we cannot remain content to blame the Delhi administration and the bureaucrats only. The Lieutenant Governor, Mr. Gavai, who was in charge of administration of Delhi during the period under review and who had been replaced now, could not have acted on his own -whether they were acts of commission or omission. Both

the Delhi administration and the Union Cabinet Ministers, including the Home Minister, were well informed of the sequence of events beginning from the evening of October 31<sup>st</sup>, (as evident from the report of communication between the Opposition leaders and the Cabinet Ministers as recorded earlier in this report). We are left wondering whether the Union Ministers failed to direct the Lieutenant Governor to take action. Or, did the Ministers direct and the Lieutenant Governor refuse to abide by their directives? In that case, should not the Union Ministry punish the Lieutenant Governor? But we were merely told on November 4<sup>th</sup> that Mr. Gavai had 'proceeded on leave' and that Mr. M.M.K. Wali had taken over."

"What intrigues us further is the appointment of Mr. Wali as the Lieutenant Governor. Mr. Wali was the Home Secretary before his new appointment."

"The record of what happened in Delhi from October 31<sup>st</sup> to November 3<sup>rd</sup> (the eve of Mr. Wali's appointment) is sufficient to prove the failure of the Home Ministry administrative machinery in suppressing riots. We wonder why the former Home Secretary, in spite of the proved failure of an administration of which he was a leading component, has been appointed the Lieutenant Governor."

## **ROLE OF THE ARMY**

The failure, nay connivance and open abetment, of the central government, the Delhi administration and the law enforcement agencies particularly the police will go down as one the blackest chapters in "Independent" India, i.e., the commission of monumental crime against a section of its society. One of the first ignoble deeds of the Nehru era was to politicize police. The nexus between the politicians and police has been largely responsible for massacre of thousands of people all over the country and the wiping out of existence whole colonies inhabited by Harijans, the lowest in the Hindu caste hierarchy. This nexus became even more powerful after Nehru's death. One did, however, feel assured that at least the virus of communalism and politics did not affect the Armed Forces. After the Indian Army had suffered the most humiliating defeat at the hands of the Chinese in November 1962 in the entire history of warfare it had

undergone a sea change. Its strength had been more than doubled; it was better equipped, armed and trained. Because of frequent Hindu-Muslim riots, which had become endemic to Indian polity since partition, the Army had been called out in aid to civil authority hundreds of times. It was, therefore, well versed in internal security (I.S.) duties. Notwithstanding its performance during the tragic days after Indira Gandhi's assassination was no less disgraceful than during the India-China war of 1962 and the twin operations "Bluestar" and "Woodrose". Its role during that unprecedented holocaust, therefore, deserves to be reviewed in some detail.

The Army was reportedly "alerted" at about 2:00 p.m. on October 31<sup>st</sup>, 1984. Although organized massacre of the Sikhs had started in full earnest during the night October 31<sup>st</sup> through November 1<sup>st</sup>, despite the curfew, the Army was not called out until November 2<sup>nd</sup>. The curfew was a part of the design. Keep the law abiding citizens in doors, organize killer squads comprising of hired anti-social elements and policemen in plain clothes, distribute weapons and incendiary products like petroleum, provide guides comprising of Congress leaders and police officers, spread rumors to poison the minds of the citizens and then go about killing the Sikhs, raping and abducting their womenfolk and destroying their Gurdwaras, properties, houses, shops, industries, et al.

The army remained a passive spectator. Its plea: no magistrate called it in aid of civil authority under Section 130 of the Code of Criminal Procedure. The Chief of the Army Staff, who is in daily contact with the Government made no move except ordering the Sikh officers and men not to come on duty. Other officers -generals down to subalterns -who could act under the provisions of Section 31 *ibid* that empowers them to do so on their own when "public security is manifestly endangered" chose to ignore one of the worst incidents of killing and destruction in the past two hundred years. Had the Army lost all initiative or was it also in league with the Government in its now well-established design of mowing down the Sikhs?

There is no evidence, even remotely hinting, that any responsible government or Congress leader made any attempts to stop the massacre. Surely some of them did possess a conscience, which would impel them to



intervene. What held them back? Was it the concern for their jobs? Or had they been too hypnotized to act? Or was it their feeling of inadequacy that whatever they did would make little difference in the environment created by the government? Perhaps it was a combination of all these factors. What is astonishing is that the Armed Forces too were paralyzed. The scenario-mind boggling!

When hundreds of Opposition leaders and other prominent citizens telephonically contacted Ministers and other officers concerned with the maintenance of law and order they received vague replies, vis., “there is shortage of manpower”; “Everything possible is being done”; “We are engaged in preparation for the late Prime Minister's funeral”, etc., etc.

There was one brigade and a large number of other units and military establishments in Delhi. They are all trained in I.S. duties. Meerut is forty miles from Delhi where a whole division and other troops are located. Mathura is ninety miles and Agra one hundred twenty miles with Jhansi and Babina a short distance further away. More than one corps is stationed there. Together they would add up to over two hundred thousand combatants. Bulk of them could reach Delhi within a matter of hours; not that there was requirement for such a large force to maintain law and order; it is just to highlight the fact that had “rioting”, the word Indian government chooses to substitute for genocide, got out of hand. There was no dearth of troops, which could be employed to bring normalcy with minimal loss of life and property. The alibi was that three thousand troops were rehearsing and preparing for Indira Gandhi's funeral and therefore could not be spared for preventing the massacre unknown since the time of Nadir Shah. And, indeed, what about moving troops from their peacetime locations mentioned above. In fact, whilst butchery of Sikhs was going on in Delhi, troops were being moved to the Punjab just in case their kith and kin retaliated there. It was an over insurance against a possible uprising. The massive deployment of Armed Forces, para-military and police and the after effects of Operations “Bluestar” and “Woodrose” were a guarantee enough. The truth is that the government branded the entire Sikh people as the enemy who, therefore, deserved to be exterminated!

This brief analysis brings us to two ineluctable inferences. One, the Sikh genocide was planned by the government, which alone is responsible for it. The motivation came from the prime minister himself. Two, the purpose of this fiendish design was not just to take revenge on a community, two of whose members had assassinated the destroyer of **Harmandir Sahib** and killer of thousands of innocent Sikhs but, more importantly, to teach them a lesson for the future. They must learn to live in India as an inferior species and never ask for God given right to life, liberty, and equality before law or civil rights.

The Indian Army's conduct during the post assassination period was as reprehensible and disgraceful as during the notorious Operations “Bluestar” and “Woodrose”. It is in fact a measure of its degradation and progressive degeneration in “free” India, the first manifestation of which was during India-China war initiated by Nehru when he ordered the Army to throw out the Chinese from “Indian territories”. That he chose to give this directive from an airport was a sample of his style of functioning. We all know the consequence; not a single Chinese soldier was captured, dead or alive, whereas India suffered thousands of casualties, dead, wounded and prisoners. Instead of throwing out the Chinese, India lost sizeable additional territory. This cowardice in battle is matched only by its aggressiveness during “Bluestar” and “Woodrose” on the one hand and total passivity during the genocide period.

## **THE MACABRE DRAMA**

The three large resettlement colonies, Sultanpur, Mongolpuri and Trilokpuri, were among the worst affected areas. In each one of these areas the Congress (I) leaders including Members of Parliament down to the low level functionaries masterminded the plans for the carnage in complicity with the police, organized killer squads and enlisted help from the non-Sikh neighbors to identify the Sikh homes and then set upon the hapless victims. The few survivors identified the ringleaders when contacted by the fact-finding teams, the same names given by them leaving no room for doubt. Sajjan Kumar, Dharam Dass Shastri and H.K.L. Bhagat, all MPs, were among the most prominent and mainly responsible for the brutalities in these colonies. They were suitably rewarded by the director-in-chief of

the genocide, Prime Minister Rajiv Gandhi. The police too did not fail to oblige its boss, the Prime Minister. They not only led the mobs but also killed Sikhs with the very arms issued to them to protect the innocent citizens.

The most commonly heard directions given to the mobs by the “leaders” was “KILL MEN - RAPE WOMEN”. Whatever could not be looted from the Sikh houses was systematically destroyed.

Thousands of barbarities were committed after Indira Gandhi's assassination by the hired goons under directions of the ruling Congress party and its government. Here is a typical story of forty-five-year-old Gurdip Kaur from Block 12, Trilokpuri. Her husband and three sons were brutally murdered in front of her. Her husband used to run a small shop in the locality. Her elder son, Bhajan Singh, worked in the railway station, the second in a radio repair shop and the third as a scooter driver. She says:

“On the morning of November 1<sup>st</sup>, when Indira Mata's (mother's) body was brought to Tin Murti, everyone was watching television. Since 8:00 a.m., they were showing the homage being paid to her dead body. At about noon, my children said: ‘Mother please make some food. We are hungry’. I had not cooked that day and I told them: ‘Son, everyone is mourning. She was our mother, too. She helped us to settle here. So I don’t feel like lighting the fire today’. Soon after this, the attack started. Three of the men ran out and were set on fire. My youngest son stayed in the house with me. He shaved off his beard and cut his hair. But they come into the house. Those young boys, fourteen to sixteen years old, began to drag my son out even though he was hiding behind me. They tore my clothes and stripped me naked in front of my son. When these young boys began to rape me, my son began to cry and said: ‘Elder brothers, don't do this. She is like your mother just as she is my mother’. But they raped me right there, in front of my son, in my own house. They were young boys, maybe eight of them. When one of them raped me, I said: ‘My child, never mind. Do what you like. But remember, I have given birth to children. This child came into the world by this same path.’

After they had robbed me of my honor, they left. I took my son out with me and made him sit among the women but they came and dragged him away. They took him to the street corner, hit him with ‘lathis’, sprinkled kerosene over him, and burnt him alive. I tried to save him but they struck me with knives and broke my arm. At that time, I was completely naked.”

An extract from the fact-finding committee is revealing:

“In a large hall of the Shakurpur Camp housing the Sultanpuri victims of the carnage sit a row of women and children huddled together with shock and grief inscribed on every part of their beings. There is not a single boy of over ten years in the group and boys are rare. Each group consists of a woman of the older generation; three or four young widows, a few adolescent girls and the rest are children, ranging from ten years to nursing infants. One such household consists of eighteen people rendered absolutely destitute with not a single earning member left; all four adult males have been murdered. Two of the younger women have newborn babies, one six day old, it was born a day before the killings, and another ten days old. They stared blankly into space holding the babies in their arms too dazed to speak or even mourn. But the older woman who had lost her husband and three sons gave vent to her grief bitterly **‘ab to sabse accha yeh hoga ki aap hum sab ko jahar dila dain; ab hum ji nahin sakte; kaise jiyenge, kis ke liye jiyenga?’** (It would be best to give us all poison, how will we live and for whom?).”

“She was voicing the sentiment of many of the women present, all of whom had watched their men folk being attacked and cut down, then doused with kerosene and set ablaze. Not one of these people were willing to consider returning to their original homes after the brutal massacre they had lived through. How can they even think of it unless the guilty are identified and punished?”

“During November 3<sup>rd</sup> and 4<sup>th</sup>, a police officer brought a barber to a hall in Sultanpuri where the survivors were herded together before evacuation. They were ordered to get themselves shaved and pay Rs.21/- each for the barber's services. Its sinister purpose was to humiliate the Sikhs and to undermine their identity.”

“In Mangolpuri the police did not lag behind their colleagues elsewhere. They told even the women who managed to go to the police station, ‘We cannot do anything. You are on your own.’ They supplied diesel to set Sikh houses on fire. They also took many Sikhs out of their houses ‘on the plea of rescuing them and then turned them over to mobs waiting outside’.”

The committee reports: “When we visited Mangolpuri on November 5<sup>th</sup> we were shown spots where the bodies were burnt and we were taken to a nullah between Mangolpuri and Sultanpuri where we were told several hundred bodies were dumped.” Further: “Almost all the Sikh houses in the twenty-six blocks of Mangolpuri were attacked and destroyed and the main targets of murderous assault were the young male members of the households. Official reports - only nine killed! It is evident from the eye witness accounts and the reports of many independent fact finding committees that the government was deliberately playing down the number of people killed.”

“A fair assessment would be that for every five Sikhs killed one was reported. Hence the figure of twenty-eight hundred which the government has indicated is in actual fact around fourteen thousand killed.”

In Trilokpuri over four hundred young Sikhs were burnt within forty-eight hours “with the connivance of the local police and active participation of an organized group of miscreants led by a Congress (I) councillor”. All the Sikh houses and hutments were destroyed and the male members killed. Many Sikh women were gang raped, killed and abducted.

A Reporter of a Delhi based newspaper who reached Trilokpuri at about 2 p.m. on November 2<sup>nd</sup> was greeted by a belligerent mob in Block 28, which threatened him and stoned his car. When he went back to the Kalyanpuri police station, the SHO Survir Singh told him that “total peace” was reigning in the area. He however spotted a truck outside the police station with four bodies inside, one of them still alive. When the reporter, out of despair, turned back to contact the police headquarters, on his way he came across about seventy Sikh women and children walking along the road under Nizamuddin Bridge. They told him that all their menfolk had been killed in Trilokpuri, and that they were fleeing for their lives. The reporter's

attempts to seek help from several army personnel on the road elicited little response, since most of the latter had either lost touch with their respective headquarters, or had no specific orders!

Army is the ultimate “weapon” with the government to restore peace during internal disturbances. This is one of the numerous cowardly acts of this once dependable force this writer was proud of. It does show how the government through its wrong policies has even debased the Army.

### **Some Reflections**

1. The scale and manner of organized massacre of Sikhs, rape and abduction of their women, desecration of their holy places (Gurdwaras) and looting and destruction of their properties would leave no doubt that it was an immaculately planned genocide at the highest level. (Mr. Chander Shakhar, the then President of the Janata Party which formed the only non-Congress government, was asked by a reporter at a Press Conference on November 5<sup>th</sup>, ‘89, “Do you think Rajiv Gandhi was responsible for the genocide of the Sikhs in November ‘84?” “I don't think, I know it”, was the reply).
2. Congress leaders, police and the civil administration were all involved in the commission of the monumental sin.
3. The Army remained utterly passive and played virtually no role in stemming the crime. It failed in the implementation of its secondary role to restore law and order when the civil authority is incapable or is un-willing to do so. In this situation it was clearly the latter consideration.
4. The curfew imposed was more to help the perpetrators of genocide than their victims.
5. The refugees, numbering nearly sixty thousand, were neither provided proper shelter, food or medical care, nor any help to locate their missing family members. The government played down the figure lest it invited UN provisions and become an international issue.

Consequently, the refugees were dispersed and the make shift camps hurriedly wound-up.

6. Many existing voluntary organizations, and some others which came up on the spur of the moment, did remarkably good job of work even though the Congress goons and bureaucracy put every conceivable hurdle in their way. That was the only silver lining.

7. The Press was generally fair in its reporting, except of course the Congress oriented newspapers like the Hindustan Times and the Times of India with its fanatic editor Giri Lal Jain.

8. The government controlled electronic media was marked for its thoroughly anti-Sikh bias.

9. Because the government could not possibly punish its sponsored killers, anti social elements too got away scot free of the ghastly crimes they committed.

10. The culprits were well rewarded; some by elevation to the Cabinet.

11. This genocide was after Operations “Bluestar” and “Woodrose”, the final blow in pushing Sikhs out of the ‘national’ mainstream and a great leap forward in the creation of Khalistan.



## CHAPTER VII

### **RAJIV-LONGOWAL ACCORD**

When the Rajiv Gandhi government was satisfied that Operations “Bluestar” and “Woodrose” and the genocide had succeeded in breaking the Sikh spirit through merciless killing of tens of thousands of innocent people and other forms of barbarities, it decided that it was time to restore a “popular” government in the Punjab. It was also important to establish its bonafides as a democratic government in the comity of nations since its credibility was getting badly eroded. Some Sikh leaders were released and in a hush-hush manner the then Akali Chief, Sant Harchand Singh Longowal, along with two other leaders, Surjit Singh Bamala and Balwant Singh, started secret negotiations.

Longowal was an unlettered person, save for his proficiency in reading and interpreting the scriptures. The Sikhs hold Sants in high esteem. So he was earlier picked up to lead the Sikh agitation, a job he handled fairly well although the credit goes to the common Sikhs who are traditionally in the forefront for pursuit of noble causes requiring blood, sweat and tears.

Surjit Singh Bamala had been a Union Minister in the Janata Party Government as a sequel to Parkash Singh Badal's resignation who was not too happy as a Union Minister and had prevailed upon Prime Minister Morarji Desai to induct Barnala into the Cabinet in his place. Barnala was a lack luster minister and did not contribute much either to his portfolio or to the Punjab. He was a lawyer and had won a certain degree of respect in his profession.

The third person, Balwant Singh, was a Block Development Officer, a relatively insignificant job, which he resigned to join politics. A clever manipulator, devoid of any consideration for his community, he always found a berth for himself in the Punjab cabinet first as a congressman and later whenever the Akalis came to power. His favorite portfolio has been



finance ministry. He had the reputation of having a big purse to “purchase” politicians and voters.

Most of the Opposition parties supported the Accord. By and large the Sikh radicals, rank and file as well as intellectuals were not enthusiastic about it; rather they kept their fingers crossed, especially in view of the earlier history of the government going back on its commitments. Even some Akali leaders called it a sell out of the interests of the Sikhs and Punjab. But they did not openly oppose it. The Sikhs had suffered immensely through the years, in particular, during 1984 tragedies of “Bluestar”, “Woodrose” and genocide. Sustained anti-Sikh propaganda in and outside India had alienated the other communities; particularly the Hindus who constitute eighty percent of the Indian population, from this once highly respected community. The surrender of Punjab interests were obvious to everyone because it was against the Satluj Yamuna Link Canal (SYL) that the Akali Morcha at Kapuri was started and it was the completion of that canal that the “Longowal Group of Three” accepted the Accord. But, even knowing full well that it was an abject subordination of the Sikh interests, they kept quiet. Perhaps they were misled because Rajiv's image builders had given him the title of “Mr. Clean” and they thought that he would be fair and just in practice. The gullible over-looked an orphaned child's vindictive role as the organizer of genocide of Sikhs immediately after becoming the prime minister of India. They hoped that there was the possibility of change in his outlook and that pragmatism would prevail over emotion. We shall shortly examine the extent to which that hope was fulfilled or belied.

The accord was signed on July 25<sup>th</sup>, 1985 in Delhi. Even cursory examinations of the relevant clauses therein clearly show that they are one-sided, vague and liable to misinterpretation.

The articles and brief interpretation:

### **1. Compensation to innocent persons killed**

“Along with ex-gratia payments to those innocent killed in agitation or army action after 1-8-82, compensation for property damages will also be paid.”

How does one pay the innocent? Who will determine the victims of agitation or any action and assessment of compensation for property? No wonder little has been done to implement this clause. The victims of Operation “Bluestar” or the Genocide have not even been identified. The government's primary consideration was to dispose of the dead bodies as fast as possible without making any effort to record their particulars.

Vague and confusing, this clause is bereft of any direction. It does not identify either the victims, the killers (government agencies/anti social elements pressed into service by Congress leaders) who actually carried out the genocide. Nor does it specify the areas and the victims to be covered. Is it the whole of India and all communities? Para military, police and militants of all hues have been killing people all over the country. Likewise, no norms for compensation have been laid down either in the accord or subsequently. Consequently, majority of the victims have got nothing and in other cases paltry amounts doled out haphazardly are too inadequate to rehabilitate them.

## **2. Army Recruitment**

“All citizens of the country have the right to enroll in the Army and merit will remain the criterion for selection.”

This again is an absurd statement, which signifies nothing. We have dealt with this all-important issue in Chapter I. The track record of the Congress Government ever since India's Partition in 1947, in matters of recruitment of minority communities in government services, is dismal. The case of Muslims is an eye opener. They rarely get selected for jobs not only in the armed forces but also even in other services. Against a population of over sixteen percent they hardly get two percent representation.

The Sikhs too are being increasingly discriminated against in recruitment. It is the population formula of making recruitment from each state in

proportion to its population that has been used as a tool to reduce the Sikh percentage in the Defense Forces from about twenty-five to eight percent and in due course it would be brought down to less than two percent for all communities of the Punjab. This formula is violative of Articles 115 and 116 of the Constitution because in regard to recruitment in the government service no one can be discriminated against on grounds of one's place of birth.

### **3. Enquiry into November 1984 incidents**

“The jurisdiction of Shri Justice Ranganath Mishra Commission enquiring into the November riots of Delhi would be extended to cover the disturbances at Bokaro and Kanpur also”.

The Prime Minister who was responsible for the carnage could hardly be expected to take action against the culprits who had indulged in killings, rape, abduction and arson. Consequently, no action was taken and not a single person arrested or punished. To a Westerner's mind it must come as a shock that in the so-called World's largest democracy the administrator, the technocrat and the security forces do not work under the rules of their service but in accordance with the wishes of their political masters. Thus, every institution is perverted and often the very protectors of life, property and honor of the people can be made to do exactly the opposite. Even the Opposition parties failed in their duty to propose a resolution of condolence in the Parliament; not that Rajiv Gandhi would have allowed its passage because of the steam-rolling majority of his party.

The Commission has hardly recorded any judicious finding and whatever it reluctantly did has been brought to naught by the pliable judiciary at the High Court level. When it comes to thwarting any genuine effort to do justice none in the world can beat the Indians in finding legal loopholes. Nearly seven years after the holocaust, as I write, no progress has been made in identifying and punishing the culprits, nor has proper compensation and rehabilitation of the surviving victims been ordered.

### **3. Rehabilitation of those discharged from the Army**

“For all those discharged, efforts will be made to rehabilitate and provide gainful employment.”

This is an innocuous statement, which means nothing. All over the world the governments have many rehabilitation schemes for the ex-servicemen, i.e., personnel discharged from the Armed Forces. However, the reason for inclusion of this vague clause in the Accord was the anxiety of the Sikh community for doing justice and the rehabilitation of the large number of soldiers who had left their barracks in the wake of the “Bluestar” under tremendous emotional stress. Hundreds among them were given severe punishments of dismissal and rigorous imprisonment ranging from 1 to sixteen years. The Sikhs and many other distinguished persons such as Field Marshal Manekshaw tried to persuade the government to take a humane view. On the contrary the commanders were instructed to award exemplary punishment to the “guilty”. Even years after the event, little has been done to rehabilitate them. Contrast this with the attitude of the British government in respect of the Indian officers and men who formed the Indian National Army during the Second World War. They had actually invaded India and after surrender were tried by court martial. Punishment for such offense is death. Yet an alien government let them off for a variety of reasons, none of which were any where as strong as the emotional trauma the Sikhs in the Armed Forces experienced after the un-called for military offensive against their holiest shrines.

## **5. All India Gurdwara Act**

“The Government of India agrees to consider the formulation of an all India Gurdwara Bill. Legislation will be brought forward for this purpose in consultation with Shrimonai Akali Dal, and others concerned and after fulfilling all relevant constitutional requirements.”

Seven years after the Accord, the government is still ‘considering’ the matter. Not only has no such legislation been enacted, but also even the Shiromani Gurdwara Prabandhak Committee's elections have not been held for the last seventeen years. Ironically, this happens to be a government responsibility.

## **6. Disposal of Pending Cases**

“6.1 The notifications applying the Armed Forces Special Powers Act to Punjab will be withdrawn. Existing Special Courts will try only cases relating to the following type of offenses:

(a) Waging War

(b) Hijacking”

“6.2 All other cases will be transferred to ordinary courts and enabling legislation if needed will be brought forward in the Session of Parliament”

No such notifications have been withdrawn, nor a fresh legislation enacted.

## **7. Territorial Claims**

“7.1 The Capital Project Area of Chandigarh will go to Punjab. Some adjoining areas, which were previously part of Hindi or the Punjabi regions, were included in the Union Territory. With the capital region going to Punjab the areas, which were added to the Union Territory from the Punjabi region, of the erstwhile State of Punjab will be transferred to Punjab and those from Hindi region to Haryana. The entire Sukhna Lake will be kept as part of Chandigarh and will thus go to Punjab.

“7.2 It had always been maintained by Smt. Indira Gandhi that when Chandigarh is to go to Punjab some Hindi speaking territories in Punjab will go to Haryana, in lieu of Chandigarh. The principle of contiguity and linguistic affinity with a village as a unit will be the basis of such determination. The Commission will be required to give its findings by 31<sup>st</sup> December 1985 and those will be binding on both sides. The work of the Commission will be limited to this aspect and will be distinct from the general boundary claims which the other Commission referred to in Para 7.4 will handle.”

“7.3 The actual transfer of Chandigarh to Punjab and areas in lieu thereof to Haryana will take place simultaneously on 26<sup>th</sup> January 1986.”

There is an in-built contradiction in this clause. Mrs. Indira Gandhi's wish that some “Hindi speaking” areas should go to Haryana when Chandigarh was transferred to Punjab seems to have been accepted as sacrosanct. During the reorganization of states many capitals, much larger in size, population and development remained the exclusive capitals of the states in whose geographical jurisdiction they belonged. Yet no territory or other forms of compensation were given to adjoining states after re-demarcation, e.g., Bombay in Maharashtra, Madras in Tamil Nadu, Shimla in Himachal and Shillong in Assam. The case of Shimla is especially pertinent. Not only was no area given to Punjab in lieu but some Punjabi speaking areas, vis., Kangra district, Una Tehsil of Hoshiarpur, Dalhousie Tehsil of Gurdaspur and parts of Solan district were made over to the newly created state of Himachal.

It is worth noting that the Regional Formula, which had stood the test of time and clearly demarcated the state of Punjab into Punjabi speaking and Hindi-speaking areas had never been disputed and could have, as recommended by the Parliamentary Committee, effectively served as the basis for territorial adjustment. Besides, the government records in respect of Punjabi and Hindi speaking villages contiguous to the two states were available. Thus, what could have been solved as a simple indoor exercise was turned into the rigmarole of a Centrally appointed Mathews Commission with such terms of reference as would complicate the problem and play havoc in the determination of the linguistic areas. Prime Minister Rajiv Gandhi had publically declared that the terms of reference were not in consonance with the Accord. He must have said it in a weak moment and, when his advisers warned him against being honest, he did nothing to correct it. Lack of precision enabled the commission to bend the spirit of the Accord and bring in such a totally unwarranted method of “enumeration” or a virtual referendum that stoked the dormant fires of communalism.

The Commission could not identify any Hindi speaking areas, which were contiguous to Haryana. That was the only purpose for which it was set up. Yet to please his masters, Mathew recommended the appointment of another commission for precisely the same purpose. And a willing government appointed Justice Venkataramiha to go through the entire exercise all over again. His report was to be officially announced on June 16<sup>th</sup>, 1986 when Haryana decided to submit some additional points. Thus, after the report had been finalized, the anti-Punjab Congress (I) Government at the Centre extended the commission's life by ten days to favor Haryana. The commission was thus turned into a farce. But in this jugglery the motivated commission produced a formula from its hat His verdict was to transfer seventy thousand acres of land from Punjab to Haryana in lieu of fifteen thousand acres of Chandigarh. Haryana had also claimed some so-called Hindi speaking villages of the Union Territory and a portion of the city itself. Even in the vitiated terms of reference there was no provision to comply with the request. The commission could not specify a single village where Hindi was spoken and was contiguous to Haryana. The Government had in fact made use of Supreme Court Judges to be a party to its design of discrimination against Punjab!

Since Venkataramaiah too could not specify any Hindi speaking villages contiguous to Haryanan, the Central Government appointed yet another commission directing it to submit its report within twenty-four hours. The Government design not to give Punjab its due is all too glaring in this case. When two commissions had failed to identify any contiguous Hindi-speaking villages which could be transferred to Haryana after months of exercise, a third commission was given a mere twenty-four hours to repeat the farcical exercise. Only a devious, autocratic and un-imaginative Prime Minister could have thought of such undemocratic and unprincipled action to achieve a wholly untenable objective. (A typical wolf and the lamb fable where the former justified the killing by putting forth new arguments after the earlier ones did not carry conviction).

Whilst the Accord specifically laid down the transfer of Chandigarh to Punjab on January 26<sup>th</sup>, 1986, without any provision for postponing the date, the Government shifted the date to June 15<sup>th</sup> and later to August 15<sup>th</sup>,

1986. Not to take the joke too far, no new dates were announced and the Punjab capital continues to be Union Territory!

Such is the Government's idea of fair play and justice! And yet its spokesmen, Prime Minister down to the lowest party functionary in and outside the government, never tire of endlessly preaching to the Sikhs to join the national mainstream, whatever it connotes.

Under the same heading clause 7.4 reads as under:

“7.4 There are other claims and counter-claims for readjustment of the existing Punjab-Haryana boundaries. The Government will appoint another commission to consider these matters and give its findings. Such findings will be binding on the concerned States. The terms of reference will be based on a village as a unit, linguistic affinity and contiguity.”

It is apparent that the terms of reference are exactly the same as for transfer of Chandigarh to Punjab. The purpose of having separate commissions for doing exactly the same exercise beats imagination. But it is a part of the grand plan to deny the Sikhs their rights and treat Punjab as if it were an alien country.

The position, on the first day of September 1991, as I examine this issue is that whilst the first part (clauses 7.1 to 7.3 of the Accord) for transfer of Chandigarh has not been implemented even a commission for the second part (clause 7.4) has not been appointed.

## **8. Centre-State Relations**

“8.1 Shiromani Akali Dal states that the Anandpur Sahib Resolution is entirely within the frame-work of the Indian Constitution; that it attempts to define the concept of Centre-State relations in a manner which may bring out the true federal characteristics of our Unitary Constitution; and that the purpose of the Resolution is to provide greater autonomy to the States with a view to strengthening the unity



and integrity of the country, since unity in diversity forms the cornerstone of our national entity.”

“8.2 In view of the above, the Anandpur Sahib Resolution in so far as it deals with Centre-State relations, stands referred to Sarkaria Commission.”

Rajiv Gandhi and his Congress (I) party romped home with a majority during the 1984 elections basically on two counts. One, public sympathy for the orphan of an assassinated mother and, two, that the Anandpur Sahib’s Resolution was secessionist. Since Sikhs were basically responsible for both they and even their sympathizers were branded anti-national. Sikhs were dubbed **Hatiaras** (killers) and any party or individual who spoke up for them was a collaborator. If the Prime Minister had read the Resolution and understood it, he would have found that there is not the slightest hint that it asks for a Sikh homeland. Once he was satisfied that the Resolution had served its purpose and, as if he was granting the Sikh community a favor, he referred it to the Sarkaria Commission. As discussed before the government appointed commissions are notorious for taking the government line particularly when it comes to dealing with the Sikhs. Sarkaria is no exception.

## 9. Sharing of River Waters

“9.1 The farmers of Punjab, Haryana and Rajasthan will continue to less than what they are using from the Ravi-Beas system as on 1-7-' used for consumption purposes will also remain unaffected. Quantum of usage claimed shall be verified by the Tribunal referred to in Para 9.2 below.”

“9.2 The claim of Punjab and Haryana regarding the shares in their remaining waters will be referred for adjudication to a Tribunal to be presided over by a Supreme Court Judge. The decision of this Tribunal will be rendered within six months and would be binding on both parties. All legal and constitutional steps required in this respect to be taken expeditiously.”

“9.3 The construction of the SYL canal shall continue. The canal shall be completed by 15<sup>th</sup> August 1986.”

We have briefly dealt with this all-important issue in Chapter I. The very basis of this clause is erroneous, both in respect of the well-established Indian law, as well as International law regarding riparian states. Therefore, neither Haryana nor Rajasthan have any claim on the three rivers; Sutlej, Beas and Ravi. High-level commissions appointed for similar problems concerning other rivers and states of India have categorically rejected claims of the non-riparian states.

The Congress Governments at the Centre have been deceiving the Sikhs by a series of gimmicks. It allotted 8 million-acre feet of Punjab waters to the Rajasthan to get a loan from the World Bank for the construction of Rajasthan canal, since renamed Indira Gandhi Canal. It later made a pliable Congress Chief Minister withdraw the case from the Supreme Court, which had been filed by the Akali Government. In all likelihood, the apex court would have gone by the constitutional provisions embodying the riparian principle thereby restoring control over and use of the entire Punjab waters to the State. Subsequently, the Centre decided to appoint a tribunal whose decision is binding and cannot be questioned in a court of law. A transparently devious stratagem of achieving its aim through the back door!

That the three Sikh signatories to the Accord could have agreed to this unlawful and illegal provision is another indication of their utter disregard of the interests of the very people whom they ostensibly represented. It also highlights the totally one-sided Accord and complete capitulation of the three worthies.

The available water is not adequate for the requirements of the Punjab and even a part diversion would render large part of the agriculturally most advanced state into semi barren areas.

Indeed Haryana can be given its full requirement from the surplus waters of River Yamuna. Experts agree as to its feasibility. It would also be in the overall national interest. The Congress Government's insistence on

depriving the Punjab of its only worthwhile resource is a part of its grand design to harm it in every possible way.

As an interim measure, whatever water can be spared from Punjab can be given to Haryana and Rajasthan on a purely commercial basis. Khalistan can be depended upon to be generous and help out its neighbors in the short run.

## **10. Representation of Minorities**

“Existing instructions regarding protection of interests of minorities will be recirculated to the State Chief Ministers (Prime Minister will write to all Chief Ministers).”

How remarkable! The Prime Minister has condescended to write to the Chief Ministers. And, one of the worst records of the so-called democratic set up in India is the manner in which the minorities have been treated. Not only do they not get a fair representation in the services, but also they can be butchered, often by or with the connivance of the security forces that are supposed to uphold law and order. Such large-scale killings in which tens of thousands have perished are called “riots” in this land. And none of the guilty ever gets punished. Until now, the most discriminated minority insofar as representation in government is concerned is the Muslims.

There is no visible change in the policy of recruitment notwithstanding a vague letter from Rajiv Gandhi to the State Chief Ministers.

## CHAPTER VIII

# FATE OF SIKHS OUTSIDE PUNJAB

Having analyzed state repression in the Punjab in depth let us now have a look at the status of Sikhs living in other parts of India. There are about 3.5 million Sikhs spread all over India with sizeable population in the cities of Delhi, Bombay, Kanpur and the states of Haryana, Uttar Pradesh, Maharashtra and Madhya Pradesh.

Until the Indian Government started maligning the Sikhs through its controlled electronic media, the Congress aided and captive press as well as host of other forms of propaganda apparatus they were the most respected people in the entire country. Its relentless propaganda against the community before and after Operation “Bluestar” and in the post Indira Gandhi assassination periods, motivated by the primary consideration to hide its own shameful misdeeds, has grievously altered the Sikh image. Not only is he now looked down upon by the majority of Hindus, who constitute eighty percent of the country's population, as secessionist, bent on disintegrating the country, but also that he is unpatriotic and cannot be trusted.

Sikhs living outside Punjab are being treated virtually as hostage. Numerous Hindu organizations, each trying to outdo the other as champions of **Hindu Rashtra** (State), in complete violation of secularism on which the Constitution is based, have sprung up particularly in Northern India. In the process all minorities including the Sikhs are made to feel unwanted; they are derided, humiliated and threatened all the time. The government takes no action to prevent their nefarious activities. Insofar as the Sikhs are concerned this syndrome suits the government design to the hilt.

Sikhs have been given notice to quit a particular state, e.g., Rajasthan within one week or Bombay, in one month. The unwarranted calumny goes

on. The extent of the anti Sikh design can be exemplified by quoting two different incidents at Bidar in the South and Jammu in the North.

## **HOLOCAUST AT BIDAR**

Bidar, a district headquarters, is situated in North Karnataka. Guru Nanak visited this place in 1520 A.D. during his odyssey to Southern India and Sri Lanka. The region was in the grip of severe famine. The people of the area requested him to alleviate their misery. God granted his prayer and a spring burst forth. Since that time, there is perennial flow of sweet water and the place is commemorated as **Nanak Jheera** (spring). Some of the local people became his disciples. Bhai Singh, one of the five **Pyaras** (Beloved ones) hailed from this area. A small but conspicuous Sikh society has inhabited the ancient Bidar town ever since. **Jheera** and the shrine were throughout history managed by the Sikhs.

With the ever-increasing offerings the Sikhs there built the follow institutions:

Guru Nanak Hospital now with five hundred beds was founded in 1969. It continues to provide free medical aid to the sick of all communities.

Guru Nanak Public School was started in 1975. It has fifteen hundred students on its rolls, majority being non-Sikhs.

Guru Nanak Dev Engineering College started functioning on August 8<sup>th</sup>, 1980. Admission to this college has not been refused to any local student who applied for it. The non-Sikh percentage of students here is fifty-seven.

Guru Nanak Dev Polytechnic having sixty percent Sikh students was set up in 1986.

Guru Nanak Dev Pre-University College started functioning in 1987.

An extract from the report of Chairman PHRO, Justice Ajit Singh Bains former LAS Officer, Gurtej Singh is reproduced below:

“About three weeks prior to September 15<sup>th</sup>, an organization known as New Shiv Sena was launched at Bidar, along with NAVY and **Swagath** groups already existence, it is regarded as an aggressive organization mostly comprising rowdy elements. It was ostensibly formed for the celebration of **Ganeshpuja**. People who belonged to these above three organizations started collecting funds for the festival. They indulged in huge extortions and forced students to pay to several different batches of donation-seekers and repeatedly threatened those who would not pay. Some students paid Rs.100/- or more even though they were reluctant to pay on the ground of financial stringency and also due to the fact that they belong to a different faith. Altercations were common because of this, great tension must have prevailed in the town.”

“Ignition point was reached at about 2100 hours on September 14<sup>th</sup>, in the Baduruddin colony (renamed Gandhi Ganj) which is a meeting place and a trade centre. Donation seekers confronted a group of Sikh students returning after eating out. Receipts were demanded but were not readily available. This led to an altercation and resulted in the students being beaten by the local toughs who were in large numbers and came prepared. The scenario was repeated and it further aggravated the situation. Agitated mobs soon started attacking Sikhs in the area and set their houses on fire.”

“Students gathered together in groups and started proceeding to the Gurdwara for safety. Police intercepted some such groups and took some students in custody. Two of them managed to reach the Gurdwara. Three other students reached at about 2230 hours. Promptly they were sent to lodge a complaint with Gandhi Nagar Police Station. Another 20 students reached the Gurdwara at about midnight.”

“Next morning at about 0800 hours it was known that mobs were continuing with what they had begun earlier. Students pursued the same strategy to reach the Gurdwara or the college (the two are five miles apart). Soon some six hundred to seven hundred students collected in the college. An attempt by about thirty of them to go to Gandhi Ganj to take revenge was foiled by the Principal Mr. M.S. Sukhija who persuaded them to return to the college campus. Local police were present on the scene.”

“A small mob which steadily swelled soon gathered outside in the vast open space near the boundary wall and started demolishing a part of it. The Principal made repeated requests to the Deputy Superintendent of Police to prevent the demolition but failed to activate him or anyone of his twenty-five odd policemen. He stirred only when the mob entered the college campus and students tried to repulse the attack. The police then fired in the air, fired three rubber bullets on the students and lobbed several tear gas shells at them forcing them to retreat. Police stood by while the crowd destroyed the college property.”

“The Superintendent of Police appears to have been running around the town the whole day without intervening anywhere to prevent looting, assault, arson or murder. It was the Ganeshpuja day and crowds of one hundred to three hundred persons had gathered at every street corner for celebration. Instigators freely moved about the town inciting violence. He was informed in time about the burning of the house of Mr. Joga Singh, a responsible public man, but did nothing to prevent it although he passed that way. Similarly, Mr. Iqbal Singh Bhatia told our team that from the Gurdwara he could see the mob preparing to loot his house and to set it on fire. He kept on relaying a sort of running commentary of the happenings to the Superintendent of Police standing nearby but failed to move him to act. Most of the damage to life and property was done on this day.”

“Right up to the evening crowds went about plundering, maiming and murdering without any fear of law. The students claim that they often heard the mob shout ‘Police Zindabad’ (long live the police) and ‘S.P. Zindabad.’ Going by what all it calmly tolerated, it appears the police were attempting to immortalize itself in the estimation of lawless elements.”

“According to all accounts, the crowd was armed with bamboo sticks (of uniform size and color), iron pikers, daggers and incendiary material.”

“At about 1900 hours the Deputy Inspector General of Police arrived from nearby Gulbarga. He arranged for eight busloads of students to be shifted from college to the Gurdwara, which was safer. Perhaps that is what should have been done the previous day. He also rescued forty-one students who

were in police custody, although the Superintendent of Police solemnly denied the fact earlier.”

“Vandalism and arson continued for the third day on the 16<sup>th</sup> of September. Mai Bhago's Gurdwara was perhaps looted on this day. Lawlessness was continuing when a meeting of the peace committee was arranged at noon by the administration. The college building evacuated the previous evening was extensively damaged on this day. It was alleged in the meeting of the peace committee that three bodies floating in a well were not recovered though one from the same place had been recovered.” (Indian Express, September 19<sup>th</sup>, 1988)

Some stray incidents also took place on the 17<sup>th</sup> and 18<sup>th</sup> of September.

Of the students who lost their lives two were brothers and the only children of their parents; one was the only male child in the families of two brothers and a sister. The misery of these families is beyond comprehension. Dead bodies of four students were recovered from a well, which is just about a hundred meters from the residence of the Superintendent of Police. Other two boys died in hospital as a result of injuries sustained during mob attacks.

Another study, booklet titled **“Bidar Carnage, Facts, Factors, Fallacies”** published by Peoples' Rights Organization, Delhi in November, 1988, is based on a two-member investigation team to Bidar from 10<sup>th</sup> to 16<sup>th</sup> of October 1988. It is factual, fair and exhaustive. Here are some relevant extracts:

“Some concerned individuals and organizations were of the view that the killings were a result of deep-rooted conspiracy hatched by ‘Delhi’, and that riot was instigated by the Congress (I) Government at the Centre with the object of destabilizing and displacing the Janata Government of Karnataka.”

“As this was a brutal attack on human rights, the first murderous assault (on the Sikh community) of its kind South of the Vindhyas and as it was likely to seriously affect the state of peace, unity and freedom in the sub-



continent, the Peoples' Rights Organization was extremely concerned and anxious to do something on this issue in its own humble way.”

### **ORGANIZED AND PLANNED ANTI-SIKH CARNAGE, NOT A COMMUNAL RIOT:**

“The incidents at Bidar on the 14<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> of September 1988 cannot certainly and definitely be described as a communal riot involving a two-way confrontation between Hindus and Sikhs resulting in loss of life and property of both. Clearly, it was a one-sided attack on the members of the Sikh community, their persons and their property. Rather, it was a meticulously planned and efficiently organized carnage on the Sikhs perpetrated by individuals and groups who were neither organized nor motivated on religious lines as such. It brought back, in a flash, memories of Delhi: November 1984.”

“As a result, of the three days of carnage, six students were killed, one hundred fifty persons were injured, forty-six of them seriously, four educational institutions were partly burned or damaged, ninety-four houses were badly damaged (many of these completely burnt), ten shops were looted and burnt besides a nationalized bank, and nearly five hundred scooters and motorcycles were turned to ashes. The carnage was extremely selective, as all the students killed were Sikhs, most of the injured were Sikhs, the bank looted and burnt originally belonged to the Sikh community and all the shops destroyed were owned by the Sikh residents of Bidar. All the four educational institutions attacked and damaged belonged to an educational society managed by the Sikhs. All the houses damaged or burnt down, had at least one Sikh student occupant. One of the houses partly damaged belonged to the Sikh Chairman of the educational trust referred to above whereas one flat which was looted and burnt was the residence-cum-shop of a Sikh ex-serviceman who had recently turned a cloth merchant. Not all the two-wheeler vehicles destroyed belonged to Sikh students but they were all either being driven by them or had been parked in front of their residence or hostel.”

“In retrospect it seems that the object of the carnage was to kill and so to terrorize the Sikh students of the Engineering College that neither they nor

new batches of Sikh students would dare to come (back) to Bidar for fear of their lives, to teach the Sikh businessmen, particularly Joga Singh, a lesson compelling them to wind up their educational and other business establishments in Bidar and resort to capital flight, and so to frighten the house-owners (irrespective of their religion) that they would never again feel inclined to rent out their houses to the students of the Engineering College, particularly the Sikh students. The purpose clearly was to force Joga Singh to 'close' his colleges one by one and to wind up his educational trust itself. The Medical College would thus go automatically to the 'local' educational trusts."

### **BIDAR CARNAGE AND PUNJAB PROBLEM:**

"The riot did not spontaneously 'happen' as a consequence of the Punjab problem. It was an organized crime based on local factors and local persons, who, utilizing the media misinformation on Punjab launched a vicious campaign against the Sikh students for the past one year. It would also not be correct to argue that students from Punjab had sought refuge in Bidar to escape the turbulence and uncertainty prevailing in Punjab for the last few years. Even though not originating in the Punjab problem, the Bidar carnage would, however, have a serious fall-out on the Punjab problem aggravating Sikh insecurity, evidencing the communal divide, heightening mutual suspicion, and providing further fodder to the Khalistani terrorists."

### **CANARD OF SIKH STUDENTS' IMMORAL BEHAVIOR:**

"The reason for this attack on the Sikh students of Bidar is certainly not their alleged aggressive, erratic and wayward behavior. From all available evidence the students were in general well behaved and there has been no previous incident or complaint of their misbehavior. This is a cold and calculated canard planted in order to justify the incidents and to divert attention from the real factors behind the Bidar carnage. In any case, even if some incidents of gross misbehavior of the Sikh students show that would neither explain the organized and determined character of the incidents nor would it justify in any way whatsoever the orgy of loot, arson and killings."

## **HEGDE'S DEPARTURE AND THE TIMING OF THE CARNAGE:**

“The departure of Mr. R.K. Hegde from Chief Ministership and the coming in of Mr. S.K. Bommai, a Lingayat by caste, may have played a crucial role in the timing of the event.

The attitude of the Chief Minister, Mr. S.K. Bommai, needs to be highlighted. After the incidents, Mr. Bommai who has been particularly unsympathetic to the problems of the victims and their families, announced a pittance of Rs.20,000 as compensation for those killed, refused to shift the examination centre to the North as demanded by the students, has on the floor of the Karnataka legislature given credence to the common propaganda regarding the Sikh students misbehavior towards women, has given the Congress (I) MLC a clean chit, and defended the Police SP Dr. Umapathy refusing to concede the demand for his immediate suspension. The real culprits are yet to be arrested. Nearly two hundred persons have been arrested till now and then released on bail, but those who actively planned, financed and organized the carnage are yet to be booked.”

## **JOGA SINGH ALSO TO BLAME FOR STUDENT'S SUFFERINGS:**

“Finally it would only be proper to put a share of the blame for the miseries and sufferings of the innocent Sikh students and their parents, on Mr. Joga Singh. In his singular quest for money and more money, he became totally blind, insensitive and unsympathetic to the safety and other needs of his students, whether alive or dead. Joga Singh (or any of the leading representatives of the Sri Nanak Jhira Saheb Foundation and the Engineering College) did not even attend the cremation ceremony of the dead Sikh students.”

## **MASSACRE IN JAMMU**

The Sikhs celebrate the birthdays of their Gurus with great fervor, joy and reverence. The main features of these celebrations are the non-stop (forty-eight hours continuous) recitation of the Holy Granth and processions.

In the ancient city of Jammu, summer capital of the State of Jammu and Kashmir, a religious procession was taken out to mark the Birth anniversary of Guru Gobind Singh. As is customary, the **Shabad Kirtan** (singing of hymns) was performed by the participants as they passed through the streets and bazars of Jammu. There were allegedly some slogans glorifying Mr. Kehar Singh who had been a victim of judicial murder in the Indira Gandhi assassination case.

Kehar Singh's execution not only evoked worldwide sympathy and protest from numerous organizations and eminent jurists but also highlighted the debasement of judiciary. Indira Gandhi and her son Rajiv systematically decimated every vestige of democratic institutions. Judiciary resisted encroachment on its autonomy till Allahabad High Court decreed Indira Gandhi's election void. She maneuvered to get a favorable verdict from the Supreme Court. Thereafter she largely usurped the powers of appointment of Judges of the Supreme and High Courts from their Chiefs and the President of India. She also introduced an entirely new policy of posting Judges from one High Court to another. This was an arm-twisting measure to "punish" such judges as would not toe the government (executive wing) line.

There was no evidence of conspiracy to kill Indira Gandhi against Kehar Singh save for a statement by Bimal Kaur Khalsa, widow of Beant Singh who had shot Indira Gandhi. All she said was that one day Beant Singh and Kehar Singh, a relative and friend, were talking to each other for about fifteen minutes but she did not hear their conversation. With this flimsy statement he was hanged.

Since practically every Indian citizen and all important jurists in and outside India were convinced of Kehar Singh's innocence, the Sikhs have made him a martyr. It is believable, therefore, that some processionists raised slogans eulogizing him. That apparently was a good enough reason for the Hindus to get worked up. When the procession passed through a narrow bazar, known as Purana Mandi, they were subjected to bombardment with stones, brick bats, spears, swords and bullets. The escape routes were cut off. Thirteen people were killed on the spot and scores more were injured. Some had to be evacuated to the Post Graduate

Medical Institute, Chandigarh. The author and some other human rights activists visited the serious casualties. The condition of these wounded casualties was so horrifying that it is difficult to put in words. Most of them could neither see nor speak. They were mere breathing corpses.

History is witness to the great sacrifices made by the Sikhs for causes dear to the people of Jammu and Kashmir. Guru Tegh Bahadur was jailed and beheaded by Emperor Aurengzeb because he had upheld the right of Brahmins to worship in their own way and against their forcible conversion to Islam. This is a unique example in the annals of mankind. Numerous people have sacrificed themselves for upholding their own faith. Guru Tegh Bahadur was the only one who laid down his life to protect those belonging to another religion to live and freely worship according to their beliefs.

During the reign of Maharaja Ranjit Singh the Dogras of Jammu were given especially privileged positions in the government and the Army. At the time of partition it was the Sikh battalion, which saved Srinagar and the Kashmir valley. It was again a Sikh Commander, Brigadier Paritam Singh who saved Poonch. He was literally worshiped by the people of the state in 1948. Hindus in fact installed his pictures in their temples.

It is all the more painful that these very people should have mowed down with such savagery the same people who had done so much for them.

These two examples have been quoted to apprise the reader of the extent of insecurity of the Sikhs living in India outside the Punjab. Consequently, Bharat Mukti Morcha, Punjab Human Rights Organization and Peoples Union for Civil Liberties drafted two resolutions, which were unanimously passed at the large congregations of over fifteen thousand at Village Mustafabad and Patiala respectively. In essence the resolutions indict the government for failing in its primary duty of providing security to the Sikhs and seeking transfer of population to avoid the massacres and sufferings witnessed during the partition of India in 1947.

## **KILLING OF SIKH PILGRIMS**

A recent case of cold-blooded murder of ten Sikh pilgrims proceeding to Maharashtra to visit Sikh holy places by uniformed police in Uttar Pradesh is yet another instance of the fate of Sikhs outside Punjab. Here are some extracts from an Amnesty International report dated July 19, 1991 under the heading EXTRA JUDICIAL EXECUTIONS:

“On 13<sup>th</sup> July 1991, Indian police personnel reportedly killed 10 Sikhs near Pilibhit, Uttar Pradesh. Amnesty International is concerned that they may have been victims of extrajudicial execution deliberately killed without provocation.”

“Police sources claim that men were killed in three separate encounters after they had been traced to forest hideouts near the border of Nepal: at 8:00 p.m. and 11:30 p.m. on 12<sup>th</sup> July, and 3:00 a.m. on 13<sup>th</sup> July 1991. However, the Times of India on 18<sup>th</sup> July 1991 reportedly stated that the ten men were taken from a bus that had been hired to tour Sikh shrines in the area. Baljit Singh and Jaswant Singh Sauzi allegedly had links with an armed Sikh opposition group, but the other eight (Jaswant Singh Jassa, Harminder Singh Lida, Surjan Singh, Bachitar Singh, Kartar Singh, Tarsam Singh, Lakhwilder Singh - aged fifteen, and Narinder Singh Nidra) reportedly had no such links and no criminal records. All 10 had lived for several years in Pilibhit, which is over two hundred miles east of the state of Punjab.”

“The Times of India report claimed that the police stopped the bus on 12<sup>th</sup> July 1991, acting on information that militants were aboard. Three Sikh youths fought with police, but were eventually overpowered. The women passengers were released. Local villagers reported that the following morning the ten men were divided into three groups and taken in police jeeps to different parts of a nearby forest, where they were shot dead. Among the police alleged to have been involved were the Superintendent of Police and Additional Superintendent of Police from Pilibhit.”

This has been reported in the Indian and foreign press, vis., Times of India and Agence France and confirmed by many human rights groups including

the PHRO who visited the scene of the murderous attack by uniformed police and examined many witnesses.

There are no words, which can adequately condemn this dastardly, inhuman and disgraceful act. It is all the more shameful that the only action taken by the government has been to transfer the district police chief. An astounding feature of this disciplinary action was that the police personnel refused to go on duty and the markets were closed in protest-not for killing the pilgrims but to bring the police officer back to his old post!

Had there been an independent Sikh Homeland, would a neighboring country dare kill Sikhs in cold blood without appropriate action by the former and the international community?



**“A sikh burnt alive”**  
**Glimpse of genocide of Sikhs after Indira Gandhi’s assassination**

## CHAPTER IX

# CHANGE OF THE GUARD

With the five-year term of the Eighth Parliament nearing conclusion, the Rajiv Gandhi Government decided to hold general elections in November 1989. Assembly elections in some States, which were due about the same time, were also held simultaneously. It is ironical that while the government thought it fit to hold Parliamentary elections in Punjab, the State was denied Assembly elections. It will be recalled that Punjab had already been under the President's rule for a record period of two and a half years. The Constitution provides for placing a State under President's rule under exceptional circumstances for a period not exceeding one year. Thereafter the President's rule had to be extended through six monthly constitutional amendments. Any democratic country worth the name should have held election to the Punjab Assembly together with the Parliamentary poll. If the constitutional process could be re-introduced for electing representatives for the Parliament, logically the same process should have been applied to the State Legislature. But logic, democracy and righteousness never meant much to Rajiv Gandhi and his party.

The people of India rightly rejected the corrupt, incompetent and repressive Congress (I) regime. It got a well deserved battering, particularly in Punjab. Only two of the thirteen persons elected were Congressmen. The remaining eleven were either those sponsored by Shiromani Akali Dal (Mann) or backed by it. In actual fact, the vote in Punjab was against repression and in favor of the victims of repression.

It will be pertinent to analyze Parliamentary elections in respect of Punjab and draw some lessons. Congress (I) and its government at the Centre had completely derailed democracy and ushered in the worst form of fascist rule forfeiting the God-ordained right to life, liberty and honor. The people who bore the brunt of this ruthless and inhuman policy were seething with rage. And, they demonstrated their feelings through the ballot box.



Akali Dal (Mann) got an unprecedented mandate. Its President, Simranjit Singh Mann was in prison at the time of elections on the charge of involvement in 'larger conspiracy' for murdering Indira Gandhi. That this and many other charges against him and some others, including two professors from Bombay, were trumped up became evident when Rajiv Gandhi withdrew his lawsuit from the court immediately after his party's defeat. He was aware of the baseless accusations and did not want the successor government to take the credit for releasing these innocent men. It should leave no doubt that Gandhi would stoop to any depth to pursue anti-Sikh policy and that the Sikhs could not expect justice and fair play.

Another facet of the election campaign was that the Congress (I) had distributed millions of rupees not only to its own candidates but also to those who belonged to parties other than Akali Dal (Mann). This included some candidates of Akali Dal factions of Barnala and Talwandi. Purpose: split Sikh votes through multi-cornered contests to the advantage of Congress (I).

At the national level the defeat of the Congress (I) was the primary concern of all the Opposition parties. Because of Gandhi's unparliamentary, nay, down right gutter language, he had become accustomed to using against the Opposition members, baseless accusations, even dubbing them as traitors, bringing forth utterly undemocratic bills in the House and getting them passed through the sheer weight of the steam-rolling majority resulted in the entire Opposition members resigning from the Lok Sabha for the first time in the history of the Indian Parliament. It also brought home to the Opposition that for the survival of their parties and to rehabilitate democracy, they had to unite. As a sequel, the National Front comprising of practically all the non-Congress (I) parties including the extreme Left and the extreme Right as well as communal and regional parties was formed. It was a remarkable piece of political statesmanship on the part of VP. Singh, N.T. Rama Rao, Devi Lal and Ram Jethmalani who led the revolt against the anti-people Congress government and the crusade for unity of the ideologically opposed political parties. Thus, for the first time they succeeded in ensuring one to one contest in most constituencies unlike the normal practice of each party putting up its own candidate and losing to the Congress through division of the Opposition vote.

In the wake of this historic event, the National Front government that emerged had its own internal contradictions. Janata Dal government's survival was dependent on the continued support of the Bharatiya Janta and the Communist Parties. It could remain in office only with their support and goodwill often demanding political dexterity and compromise. Indeed, BJP and the Communists were aware that should they withdraw their support the government will fall, and, so will they. But then Indian history of the last one thousand years is replete with instances of political **hara kiri** and foreign subjugation because of jealousy of local rulers. The million dollar question was how long would this marriage of convenience last?

The very first action of the newly installed government was a visit to the Golden Temple Amritsar by Prime Minister V.P. Singh and his senior colleagues, including Deputy Prime Minister Devi Lal. It was a gesture of great emotional significance. The Sikhs who had been so badly mauled, physically and psychologically, by the successive Congress governments, saw in this gesture the beginning of good tidings; rehabilitation of their honor, restoration of the rule of law and solution of the Punjab problem. Hundreds of thousands of them turned up to greet the new national leaders. There was tremendous enthusiasm. The Prime Minister reciprocated by eulogizing the Sikh community and his determination to find an amicable settlement. He went around the city in an open jeep and greeted the multitude with warmth and affection. Contrast this with his predecessor who had to be guarded by thousands of specially trained commandos, police and sundry intelligence personnel and travelled by heavily escorted bulletproof vehicles.

A few days later an all-party rally was held at Ludhiana. VP. Singh was received with great show of love by the Sikhs who lined up the 30 Kilometer route from the airport to the conference venue in large numbers. Simranjit Singh Mann had declined the invitation to the conference as he did not wish to share the stage with the Congress (I) leaders. He did, however, receive the Prime Minister at the airport and also saw him off later in the evening from there.

Unfortunately, the new government did not display the courage and statesmanship to tackle the problem. It did not take any worthwhile steps to prepare the ground for a meaningful discussion. Earlier, United Akali Dal had sent a charter of nine points. Even the repressive machinery in the state was not dismantled and the police officers who had soaked their hands with blood of the innocent were not replaced, let alone initiating legal action against them. The repression continued unabated.

In order to force the government to carry out its primary task of providing protection and security to the people and to restore the rule of law many well known human rights organizations, vis., Movement Against State Repression, Punjab Human Rights Organization and Peoples' Union for Civil Liberties and a number of other social organizations who have been concerned with and are endeavoring to help bring normalcy and peace in the Punjab joined hands to peacefully agitate against continued atrocities and violation of the Sikhs' fundamental, human and civil rights by a **dharna** (sit in protest) at the Punjab Governor's residence on February 1<sup>st</sup>, 1990. Leaders of these organizations and many other sympathizers participated. Governor Nirmal Kumar Mukarji invited the protesters to meet him. He spoke to them in an amicable manner and assured them that he would seriously consider their demands. He was given a copy of the Press Release, which is reproduced below, for the reader to see for himself that there had been little change in the situation even two months after the new government took charge:

## **PRESS RELEASE**

It would be recalled that the Punjab Human Rights Organization and the Movement Against State Repression had called for 'gherao' of Governor Punjab to demand restoration of rule of law in the state on September 30<sup>th</sup>, 1989. The call was supported by twenty-five political and civil liberties groups in the country. The then Governor S.S. Ray responded to the call by further intensifying state repression.

With the change of the regime brought about by the massive democratic mandate of the people in the Parliamentary election against state repression, it was expected that the new government would respond to the

mandate by restoring the rule of law and ending repression. The expectation has completely been belied. The callousness of the new Government on the issue is reflected by the fact that Governor Nirma Kumar Mukarji did not even acknowledge a letter addressed to him by the PHRO, the MASR and the PUCL demanding dismantling of the repressive machinery of the State and punishment of such officials who had committed immitigable crimes against innocent people. Two lists of forty such officials have already been furnished to the Governor. Repression continues unabated. The guilty of the past are still at the helm of the affairs.

Today's 'dharna' is staged to highlight and protest against gross violation of fundamental rights to life and liberty of the people. This gesture of protest is symbolic of the resentment the people of Punjab feel towards denial to them of rule of law in spite of the political change which if not ameliorated may lead to open rebellion. This would be consistent with the logic of history.

We demand that:

1. The repressive State machinery be dismantled.
2. Officials responsible for violating human rights including extrajudicial killings, torture, rape and extortion be punished.
3. The rule of law be restored.
4. Vigilante group be disbanded.
5. Para-military forces be withdrawn.
6. Illegally detained persons and those arrested under black laws be released.
7. Newly created so-called Interrogation Centres, which in fact are torture chambers, be abolished.

8. A list of persons wanted by the State together with charges against them be published.

9. Commissions of Inquiry under the Act and headed by eminent jurists of proven impartiality and commitment to civil liberties be constituted to investigate the following:

(a) Operation “Bluestar”.

(b) Operation “Woodrose”.

(c) Genocide of Sikhs following the assassination of Mrs. Indira Gandhi.

(d) Selective genocide of Sikhs being carried out ever since.

Lt. Col. Partap Singh,  
*Retired*  
Co-Convener MASR &  
President, Bharat Mukti  
Morcha, Punjab

Justice Ajit Singh Bains,  
*Retired*  
Convener MASR &  
Chairman, PHRO

Inderjit Singh Jaijee,  
Former-MLA &  
Co-Convener MASR

Maj. Gen. Narinder Singh,  
*Retired*  
Vice Chairman, PHRO

Justice C. S. Tiwana,  
*Retired*  
Senior Vice Chairman,  
PHRO

Lt. Col. Harwant Singh  
Kahlon, *Retired*  
President,  
Sant Sipahi Front

Baljit Kaur Gill,  
Gen. Secretary MASR &  
PHRO

R.N. Kumar  
Committee for  
Information & Initiative  
on Punjab

Dr. Sukhjot Gill  
Senior Vice Chairman,  
PHRO

Mohinderjit Singh Sethi  
Convener PUCL, Punjab

Gur Rattan Pal Singh  
General Secretary MASR

Bhai Ahok Singh,  
Bagrian  
Council for Sikh Affairs

It may be pertinent to pursue the Memorandum presented to the erstwhile governor of Punjab S.S. Ray (dismissed immediately after the new government was sworn in) on September 30<sup>th</sup>, 1989. It will be seen that most of the points in the Press Release quoted above and the Memorandum reproduced in Chapter 2 are identical. It highlights the fact that hardly any corrective action had been taken by the new government.

At the time of writing much the same situation prevails as during the previous Congress (I) government. The draconian laws remain on the statute and the state sponsored killings and other forms of uniformed brutalities have in fact registered an increase.

In January 1990, the government decided to hold assembly elections during February for eight states and one Union Territory. But, without assigning any reason, the Punjab was excluded. It baffled every political analyst, those working for human rights and, in particular, almost the entire Sikh community.

The one plausible reason that could have weighed with the government was the possibility of Hindu backlash in other states. The previous regime had, through persistent anti-Sikh propaganda, so poisoned the mind of the majority community that in the electoral contest Congress (I) was likely to exploit the Hindu sentiments by accusing the Opposition parties of “appeasing” the Sikhs. A community that has been painted black with the brush of terrorism and secessionism could not possibly be given democratic rights! Besides, the extended President's rule could continue till May 11<sup>th</sup>, 1990. So, where was the hurry?!

The more important reason for denying Punjab the “luxury” of democracy was the results of the general elections. The message was loud and clear. Akali Dal (Mann), which then swept the polls, was likely to repeat its performance in the Assembly elections. This was not acceptable to a majority of political parties who had earlier drawn a blank. In the vanguard was Bhartiya Janata Party followed by the two Communist Parties on whose support the survival of the Janata Dal government at the Centre depended.

Leaving Punjab out of the assembly elections was a highly undemocratic action. But the sad tale does not end there. As noted earlier these parties have ever since been vociferously advocating that no elections should be held until normalcy is restored in the Punjab. Indeed they have no suggestion to offer as to how it is to be done. Clearly they could not care less if the President's rule is perpetuated indefinitely provided a particular party does not come to power.

But the unbelievable happened. Not only was Punjab kept out of the February '90 Assembly poll, but the President's rule was extended by six months beyond May 11<sup>th</sup>, '90 which further alienated the Sikhs worldwide.

Prime Minister V.P. Singh lamented that the "biggest blunder of his political career was not to hold elections in Punjab before the expiry of President's rule in May '90". But within a few weeks after shedding crocodile tears he made the President to summon both houses for a one-day special session (October 1<sup>st</sup>, '90) specifically for the purpose of extending the President's rule for a further period of six months. Since he could not muster even simple majority on October 1<sup>st</sup>, the Congress (I), always itching to embarrass him, insisted that he must first prove it before seeking its support. Parliament was adjourned to October 4<sup>th</sup>. In utter disregard of the policy that a failed bill cannot be re-introduced in the same Parliamentary session, it was manipulated through special amendment and sponsored on October 4<sup>th</sup>. Janata Dal and its allies ensured maximum possible attendance, proved simple majority, and obtained Congress (I) support.

Wonder of wonders; the constitutional amendment (76<sup>th</sup> in the past 40 years) was passed with near unanimity with just four MPs voting against the motion in each of the two Houses. This exercise highlights three ugly features of the Indian polity. One, that whether it is the Congress or the National Front Government, its solemn commitments cannot be relied upon. Two, irrespective of the mutual animosity for ideological or other reasons all the political parties and parliamentarians will gang up to deny democratic rights to a minority community. And three, that democracy and secularism in India is a total farce.

For the first time since Operation “Bluestar” (June 1984) a delegation of four-members representing European Parliamentary Commission and British House of Commons visited Punjab and saw for themselves the actual state of law and order and the role of the administration and police in the state. They also interviewed a number of victims of state repression. Their immediate impression was spelt out at a press conference held at the conclusion of their visit at Amritsar on March 2<sup>nd</sup>, 1990. Express News Service report dated March 3<sup>rd</sup>, is reproduced below:

### **“STATE VIOLATING HUMAN RIGHTS: EUROPEAN MP’S.”**

“A four-member delegation of the European Parliamentary Commission, the first such group to visit Punjab after Operation “Bluestar”, has expressed ‘shock and dismay’ at the role of the security forces in general and the Punjab police in particular in handling the law and order in the state.”

“Accusing the state of ‘violating human rights’, the members of the delegation say that after analyzing the data collected during their one week stay in India and studying the recorded statements of the people affected by ‘state repression’, the team will be in a better position to tell more authoritatively about its findings.”

“The team's report will be submitted to the European Parliament, the British House of Commons, the United Nations Sub-Committee on Human Rights and other human rights organizations of the world, in two or three months. Before submitting the report the delegation will make a final visit to the state to check its findings.”

“Led by Mr. Richard Balfe, member of the European Parliament, the team comprises Mr. Max Madden, member of the British Parliament from the Bradford constituency, Mr. John Taylor of the British Institute of Human Rights and a former director general (human rights) of the European Parliament, and Mr. Vidya Anand, Chairman, Asian Committee for Europe.”



“According to Mr. Balfe, ‘none’ of the cases of violation of human rights that had been reported to them ‘proved to be false’. He told ENS that the team had studied in details all the cases before coming to India. During their one-week stay, the team members met a large number of people in Delhi, Chandigarh, in the villages of Punjab and those directly affected by terrorism, and their reaction was one of ‘shock and dismay’.”

“Mr. Vidya Anand said they had met the former president, Giani Zail Singh, Mr. Justice Narula and the victims of the 1984 Delhi riots. The main purpose of the visit, according to him, is to verify the authenticity of the reports on violation of human rights” in Punjab.

“He said it was too early to reveal any of the finding of the team, but the obvious things that ‘we have come across is that there has been a delay in attending to the massacre of the victims in Delhi and the responsibility of looking after them has been shunted on to the Gurdwaras’.”

“The team members also feel that Assembly elections should be held in the state to restore the democratic process. The members of the delegation, who also met the Punjab Governor and the Director General of Police, appreciated the assurances of Mr. N.K. Mukarji, but said they were not very happy with the ‘lies’ told by Mr. K.P.S. Gill, which they discovered when they met the people in the villages and heard about the police excesses.”

“Mr. Madden said that he was ‘shocked’ at the number of incidents of murder of the innocent people by the police and the terrorists, and the numbers of those detained and harassed by the police. ‘It is very disturbing to know that senior police officers, against whom there are widespread complaints, have not been suspended or dismissed. On the other hand, they have been promoted or transferred, he said.’”

“Mr. Madden said he was very impressed with ‘the hope the people had shown’ on the Prime Minister, Mr. V.P. Singh, and added that things could improve if tackled rightly. He said he was anxious to visit Kashmir and Pakistan later in the year to find out the truth about India's allegation that Pakistan was supplying arms and ammunition to the militants.”

It must be re-stated that the most active human rights organizations like Amnesty International with impeccable record of truthfulness and objectivity are still denied permission to enter Punjab. In fact, even foreign journalists are usually forbidden from entering the state.

Vacillation on the part of the new government in boldly tackling the vexed Punjab problem has greatly eroded its credibility with the Sikhs. The vast majority in the community is convinced that they have no future in India. It becomes all the more evident when in congregations numbering hundreds of thousands they enthusiastically support the demand for an independent Sikh Homeland whenever a leader seeks their opinion from a public platform.

Having tried every possible approach to bring Punjab into the political process, the author sponsored a resolution for Self Determination by the Sikhs in Punjab at the Akali Dal (Mann) function held at the Damdama Sahib, Muktsar on the Baisakhi day (April 13<sup>th</sup>, 1990), the birthday of the Khalsa. The massive congregation on that historic occasion unanimously passed it.

The author subsequently wrote an exhaustive article titled “Self Determination - Legality and Justification”. This was published in a number of newspapers and journals. Extracts from this article are reproduced at Annexure 4.

The painful saga goes on. Chandra Shekhar had been maneuvered out of Number 1 spot by the vilely Haryana leader, Devi Lal in connivance with V.P. Singh and their cronies. Through a cunning game plan, the Haryanvi had himself sponsored as a leader of the National Front Parliamentary Board and then withdrew in favor of V.P. Singh leaving Shekhar in the cold. V.P. Singh appointed Devi Lal as deputy prime minister. Shekhar refused to accept any position in the government and waited for an opportunity to avenge his humiliation.

Soon differences started surfacing. Devi Lal organized a huge Kisan (farmers) rally in Delhi projecting himself as the most popular Indian leader. He ignored V.P. Singh. Not to be out done, the latter pulled out the

years old Mandal Commission report and announced its implementation. In essence this voluminous report provided for reservations to other backward classes (OBC) in government jobs, etc., which would mean anything between forty and sixty percent depending on the number of OBCs in various states. Add to that over twenty percent reservation for the scheduled castes and tribes. In other words, over two thirds of the jobs would go to the reserved categories irrespective of merit and suitability.

Its reaction was so volatile that hundreds of young boys and girls belonging to caste Hindus immolated themselves. Thousands of vehicles were burnt. Property worth hundreds of millions was destroyed. Administration was paralyzed. It took no action against the culprits. There was complete chaos. Curfews and bandhs became order of the day. Prices of commodities soared.

Bharatiya Janata Party, a fundamentalist Hindu outfit, withdrew its support to V.P. Singh. He could not muster enough support in the Parliament. He had no option but to resign. Janata Dal split vertically. Supported by Devi Lal's men and his own followers, Chandra Shekhar became the leader of the break away group. Congress (I), the largest single party was not in a mood to form a government but was prepared to support Shekhar from the outside.

Rajiv Gandhi had promised the President that he would not withdraw support for at least six months. But within a matter of weeks he started showing restlessness notwithstanding that Shekhar accepted almost all of Gandhi's suggestions. Rajiv used the flimsiest of excuses. Two ordinary constables from Haryana were seen on the road outside his residence. It was made out to be a major surveillance and spying racket. Although the Central Government had nothing to do with it, he withdrew support, leaving Shekhar high and dry.

Shekhar, the astute politician he is, had learnt his lesson. Knowing full well that there was no possibility of winning vote of confidence in the Parliament, he resigned. Nobody was willing to stake claim to the Government. The President let the existing government to continue as a caretaker and ordered general elections. The process is under way. Some

states and Parliamentary polls have already taken place. Polling schedule for the remaining states has been postponed because of Rajiv Gandhi's assassination near Madras in South India.

It may be pertinent to note that the Punjab has been included in the polls although the date fixed is after the new government would have been installed. Congress (I) has boycotted the elections in that state having failed to get further extension of President's rule. This, incidentally, is the only national level party to do so.

At the time of writing (June 6<sup>th</sup>, 1991) after a few days of subdued campaign on account of Rajiv Gandhi's death, the hustle and bustle of Indian election scene has reappeared. In the Punjab the Akali Party has split into many factions. All India Sikh Students Federation (Bhai Manjit Singh group) in alliance with Panthic Committee (Manochahal) has joined the fray. Practically all other militant organizations have boycotted the elections.

A more dismal scenario could not be imagined. Two Parliamentary and 18 Assembly candidates have been shot dead resulting in countermanding of elections in many constituencies. The selfish and incompetent leadership has taken the Sikhs for a ride and made mockery of the martyrdom of tens of thousands killed in the present struggle for freedom and many more deprived of liberty and suffered others forms of brutalities.

Consequently, the author of this monogram floated a new political party, the Khalsa Raj Party, with the sole objective of creating an independent sovereign Sikh homeland, Khalistan. The Press Release issued at Chandigarh on May 15<sup>th</sup>, 1991 and the booklet giving constitutional profile and declaration of independence of the Sikh homeland are reproduced in Chapter XI.

Among the large number of articles written by the author the following three have been selected for the reader to assess for himself the government's ever escalating state repression against the Sikhs. These articles highlight certain aspects of the repression and are attached as annexures indicated below:

Deployment of Army in Punjab - Annexure 5

Murder of Democracy - Annexure 6  
Butchery of Sikhs

Vision of India -1999 A.D. - Annexure 7  
Focus on Punjab



Avtar Singh, a candidate for Punjab State Assembly brutally tortured (with hot iron and electric shock) and murdered 8/6/91 by Indian Police

## CHAPTER X

# THE MOVEMENT ABROAD

My observation during the past three months I have been abroad has convinced me that the Sikhs living in the Western countries have much the same approach to the Sikh problem as in India. While the vast majority believes that there is no salvation for the community without an independent Sikh Homeland, there are some who still feel that an autonomous state within the framework of the Indian Union will be a more viable proposition. A few Sikhs have chosen to remain silent for fear that they will face problems in getting visas from the Indian Embassies, notorious for discriminatory treatment of the Sikhs, and the Indian security forces' brutalities against their relatives back home. This is a genuine apprehension since large numbers of Sikhs in this category have grievously suffered. Indeed, there are the agents and collaborators whose sole aim is to thwart the movement.

Of all the countries, the U.S.A. and Norway have lent tacit and open support for the Sikh freedom. I have elsewhere given an account of the seminar on Sikh Freedom and the Indian State held at Oslo, Norway on September 18<sup>th</sup>, 1991. My speech has been reproduced at Annexure . . . Dr. Gurmit Singh Aulakh, Dr. Devendra P. Singh, a citizen of Norway, Dr. Harald Olav Skar, Director of Research, NUPI; Thomas H. Eriksen, Researcher, PRIO; Ms. Anne B. Krohn of Amnesty International and Asbjørn, Norwegian Institute of Human Rights made a convincing case for Sikh independence in their thought provoking speeches.

Our subsequent meetings with a number of parliamentarians, chairmen and heads of concerned departments left us with a clear impression that they were all convinced about the unparalleled repression on the Sikhs by the Indian state and that they fully appreciated the Sikh case for freedom. They had already taken the lead in linking financial aid to the observance of human rights to which India strongly objected in the same manner as it has shown hesitancy in signing the United Nations Convention Against Torture

and other Cruel, Inhuman or Degrading Treatment or Punishment, even when over eighty countries have signed it.

United States Members of Congress have exhibited deep anguish in connection with the ongoing atrocities against the Sikhs and have moved many bills and made favorable statements in the House of Representatives. I propose to reproduce the more recent ones to apprise the reader of their concern about the problems the Sikhs are facing in India. These bills have been co-sponsored by many Members of Congress - some by more than 60.

On October 5<sup>th</sup>, 1989, The Honorable General Ben Garrido Blaz made the following statement on the floor of the U.S. Congress:

## **KHALISTAN - THE ONLY SOLUTION TO THE PUNJAB**

### **PROBLEM THE HONORABLE BEN GARRIDO BLAZ OF GUAM**

Mr. BLAZ: Mr. Speaker, around the world people are fighting to be free of despots. Today, in India, one of the major struggles for freedom in the world is taking place. It is the struggle of the Sikh nation to gain independence from the government of India.

The Sikhs ruled the Punjab from 1770 to 1849, when the British conquered the Punjab. When India won its independence from the British, there were three political parties recognized for the transfer of power: the Muslim League Party represented the Muslims; the Akali Party represented the Sikhs; and the Hindus were represented by the Congress Party.

In 1947, when India became independent, a separate country, Pakistan, was formed purely on the basis of religion, Islam. India was created for the Hindus and the Sikhs agreed to take the Punjab, their homeland to India, with the solemn assurance from the Hindu leaders, Nehru and Mahatma Gandhi, that the Sikhs would be treated as equals in a free India.

As soon as India became independent, the majority Congress Party broke all its promises of justice and equality made to the Sikhs prior to independence. The two Sikh representatives to the Indian constitutional

convention refused to sign the final draft of the constitution because it contained no guarantee of the rights of minorities. In the Indian Constitution today, the Sikh religion is not recognized, while Hinduism and Islam are.

Mr. Speaker, as we can see, the worst fears of the Sikhs have been realized. Today they are a hunted and severely persecuted people. Their most sacred religious shrine, the Golden Temple of Amritsar, was attacked by a military force of the Indian army in 1984. As the slaughter and persecution of the Sikhs increased, Sikh leaders declared their independence from India on October 7<sup>th</sup>, 1987, and severed all relations with the Indian Constitution. They called their new nation Khalistan.

They did this because they recognized that it was the only means of survival available to them. Since then India has only redoubled its efforts to break their spirit and kill their patriots. I, for one, endorse that right of the Sikh people to self-determination and the pursuit of life, liberty, and religious freedom. The Young Republican Federation has recently endorsed this right of the Sikhs for freedom and independence as well. I stand with them in support of this courageous people and their God-given right to live their lives free from persecution and oppression.

Today the people of Khalistan, the Sikhs, face the devastation of genocide at the hands of the police and paramilitary forces of the Indian Government. These forces are essentially an army of occupation.

Over 80,000 Sikhs-men, women, and children have been murdered since 1984, mainly by this paramilitary army of occupation, but also by frenzied mobs whipped up into a murderous, anti-Sikh furor by known instigators of the Indian Government. Some of these instigators, who triggered the New Delhi massacre of Sikhs in 1984, now hold cabinet positions in the Indian Government.

We often hear the Indian Government blaming the Sikhs for every act of violence in the Punjab or elsewhere in India or even terrorist acts abroad. The evidence suggests otherwise. We now have a written book called *Soft Target*. This book shows that India's secret intelligence service, "The Third



Agency”, engineered the terrorist bombing of an Air-India jetliner in 1985- a bombing previously blamed on the Sikhs.

It is becoming harder and harder for New Delhi to blame the Sikhs when India's own newspapers are every day exposing brutal police and parliamentary atrocities against the innocent Sikhs in the Punjab. We are not talking about isolated cases here. We are talking about a well-documented assault on an entire culture, religion and race in which police are daily gang-raping Sikh teenage girls, torturing mothers, arresting young Sikh men for torture interrogations in torture centers all over the Punjab. They are killing those young men in faked shoot-outs with police after which the bodies are often cremated to destroy evidence of their torture and murder.

Punjab, homeland of the Sikhs, is today a completely lawless place. So-called antiterrorist laws put on the books by New Delhi since 1984 now give police the right to pick up Sikhs at will and to torture Sikh women in their own homes, while their husbands sit hopelessly in jail without trial or legal recourse. The Punjab Human Rights Organization, headed by the highly respected former Indian High Court judge, Justice A.S.Bains, has just released a report from the Punjab, which states that over 7,000 young Sikh men have been murdered in the last 2 years in so-called “faked encounters” with Punjab police and paramilitary troops. That is about 10 murders per day. I ask you, who are the terrorists in the Punjab?

Justice Bains' organization also states that there are over fifteen thousand Sikh political prisoners in Punjab jails who have no hope of trial for at least three years. This is the world's so-called “largest democracy,” as India's Ambassador to the United States is so often heard saying?

Enough of this talk of democracy in India while the Sikhs are being slaughtered and tortured all over their homeland. Let the Sikhs enjoy the same freedom we Americans so cherish.

Mr. Speaker, I insert into RECORD an article from India-West verifying that the Young Republicans have indeed endorsed independence for the Sikhs as well as freedom fighters throughout the world, (article omitted)

On May 8<sup>th</sup>, 1990 The Honorable Mr. Dreier made the following statement:

## **HUMAN RIGHTS VIOLATIONS IN INDIA**

The SPEAKER pro tempore: Under a previous order of the House, the gentleman from California (Mr. Dreier) is recognized for 60 minutes.

Mr. DREIER of California: Mr. Speaker, I very much appreciate the fact many of my colleagues have joined me here for this important special order. I would like to begin by associating myself with the remarks of my friend, the gentleman from Iowa (Mr. LEACH) who was speaking just a few minutes ago about the various serious situations that exist in Eastern Europe.

Mr. Speaker, it is apparent that we spend a great deal of time in this House talking about some very serious situations and human rights violations which have taken place in many different parts of the world. We have focused, of course, a great deal in recent weeks, and will later this week, on the situation in Central America. We have been speaking during special order of the gentleman from Florida (Mr. IRELAND) about the situation in Eastern Europe. We are often talking about a wide range of places, but very tragically there is a part of the world that too often has been forgotten, and I know that my friend from Indiana (Mr. BURTON) has earlier this afternoon been talking about the situation as it exists in India, and the horrible, reprehensible violations of human rights which have taken place there.

I have a great many points, which I hope to make over the next few minutes, Mr. Speaker. I am going to talk in detail about some of the tragic human rights violations, which have taken place in Kashmir and other parts of India, but I do have many colleagues who have chosen to join me during this special order.

Mr. Speaker, I begin by yielding to my very good friend, the distinguished delegate from Guam, and I am speaking of course of General BLAZ. I am happy to yield to my friend from Guam.

(Mr. BLAZ asked and was given permission to revise and extend his remarks.)

Mr. BLAZ: Mr. Speaker, I thank the gentleman for yielding to me and appreciate it very much.

When I told some of my friends I was going to the floor today to speak on behalf of the Sikhs and Kashmiris, somebody asked me what I was doing in that part of the world, and my response was, having experienced violations of human rights myself and my own people not too long ago, I felt an obligation to champion the cause of political self-determination, freedom, and those basic things that we all take so much for granted in our country. That is the reason I am here.

I am not here to offer an apology to anybody. On the question of human rights, nobody should offer an apology to anybody, any time.

If we cannot ensure that protection of human rights to citizens everywhere, we have our priorities pretty well mixed up, and we probably should not even be here.

Mr. Speaker, many of my colleagues have spoken out on the continuing repression in India against the Sikhs in Punjab and the Kasmiri Muslims.

Mr. Speaker, that situation appears to have worsened in recent days when the Prime Minister of India, V.P. Singh, issued a statement urging the Indian people to “prepare psychologically” for war. Rather than preparing for war, India should prepare to end any repression and grant freedom to the Sikhs and Kashmiris.

On June 13<sup>th</sup>, 1991 The Honorable Mr. Lagomarsino offered the amendment:

**“SEC. 8505. ASSISTANCE FOR INDIA”**

“(a) ANNUAL CERTIFICATION: No assistance shall be furnished to India and no military equipment or technology shall be sold or transferred

to India, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the Chairman of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology sold or transferred, that India does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that India will possess a nuclear explosive device. “

Mr. LAGOMARSINO: (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore: (Mr. MCDERMOTT). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAGOMARSINO: Mr. Chairman, yesterday we considered the Hyde amendment to repeal the discriminatory Pressler certification on Pakistan. During the course of debate, it seemed to me that the majority believes that Pressler is an important and effective means to halt nuclear proliferation in south Asia.

It is also quite clear that the issue of nuclear proliferation in the region extends beyond Pakistan. The real reason Pakistan has pursued a nuclear program—even at the expense of substantial American aid—is because of India's far more advanced nuclear program. Pakistan is further pushed by India's repeated refusal to concurrently sign the Nuclear Non-Proliferation Treaty and its arrogant rejection of Pakistani Prime Minister Sharif's recent initiative to convene a regional nonproliferation conference. Clearly, India's intransigence and refusal to seriously cooperate a nuclear nonproliferation is a major problem. Pakistan will take the steps we encourage, India will not.

Because the majority believes the Pressler certification is such a powerful means to influence a country's cooperation on nuclear nonproliferation, the

bipartisan amendment CHARLIE WILSON and I am offering would extend-not repeal, not rollback, not modify-but expand the Pressler to include India. This amendment does not change Pressler with regard to Pakistan one bit.

We will be passing a provision in the next en bloc amendment-with the support of Congressman STEVEN SOLARZ-stating that Congress recognizes that a successful nuclear nonproliferation policy in south Asia can best be achieved through a regional U.S. policy. Further, during yesterday's debate, Chairman FASCELL speaking in favor of keeping the Pressler certification stated, "It might be wise to consider some regional arrangement." That's exactly what the Lagomarsino-Wilson amendment does. Incidentally, both India and Pakistan consider this a regional issue-why shouldn't we?

Because the nuclear arms race in south Asia is between India and Pakistan, it makes sense for us to treat them equally. This amendment is not anti-India. We will be treating India no differently than we treat Pakistan.

Unilateral arms control does not work. Pakistan has pursued a nuclear weapons program because it wants to keep up with India. India back in 1974 exploded a so-called peaceful nuclear device. Can we blame them? India will not agree to any nuclear safeguards. India's conventional military force is many times larger than Pakistan's. The Indians even leased a nuclear submarine from the Soviets. India has developed ballistic missiles. India supported and continues to support the Soviet Red Army installed Najibullah regime in Afghanistan.

Congressman STEVEN SOLARZ himself stated back in 1987 in a Washington Post op-ed piece:

"No one knowledgeable about Pakistan thinks there is the slightest chance that Islamabad, if forced to choose between United States aid and moving ahead on its nuclear program would accept safeguards in order to retain American assistance."

“It was the democratically elected government of Benazir Bhutto that crossed our nuclear redline invoking Pressler sanctions. Obviously, India's continued nuclear program is fueling the regional arms race.”

“Some have unjustly criticized my amendment stating that we can't turn back history-India's nuclear genie is already out of the bottle and can't be put back in. That is true. However, India claims its nuclear program is totally peaceful. Pakistan shouldn't worry and has no real justification for a nuclear program. If this is so, then the President should have no problem certifying India.”

“What troubles me-and ought to trouble anyone seriously concerned about nuclear proliferation-is India's continued nuclear program. Experts estimate that if left unchecked, India could have produced as many as 40 to 60 nuclear weapons by the mid-1990's. Further, India feels it can use uranium fuel, which we supplied under International Atomic Energy Agency safeguards for weapons production when their agreement with us on this fuel expires in 1993. India has already used this fuel and produced plutonium-the stuff bombs are made of. India claims it will have unrestricted use of eighteen hundred kilos of plutonium, enough for thirty-six bombs. If pursued, this would be the first time a nonnuclear state has taken material supplied for a peaceful program and ‘legally’ -that's in quotes- diverted it to weapons production.”

“Further, the leader of the Hindu Nationalist BJP, one of India's largest political parties stated in a Newsweek interview that, “India has no other option but to develop a nuclear deterrent of its own.” We cannot ignore-or worse, reward as we are going with \$100 million in aid-such bellicose calls. With the growing chaos and violence in India, shouldn't we try to lower nuclear tensions rather than let them run the course of violent Indian politics?”

“Today, even if we were to determine without any doubt that India had several nuclear weapons, there is no unwaivable requirement for us to terminate our aid. What incentive, what pressure is there on India today to halt nuclear proliferation? Absolutely none. Placing India under the Pressler certification and conditioning our \$100 million aid on India

cooperation on nonproliferation is very fair and reasonable. Just like we say to Pakistan, if India wants to make nuclear bombs and ignore nonproliferation overtures, we won't finance it."

"It's time to treat India and Pakistan equally, not favor one and discriminate against the other, which is what we've been doing. Obviously, this discriminatory policy has failed. If Pressler is so good for Pakistan, it ought to be just as good for India. Now is the time for the House to declare its opposition to nuclear proliferation in all of South Asia in a nondiscriminatory manner."

Mr. DYMALLY: I yield to the gentleman from California.

Mr. LAGOMARSINO: Mr. Chairman, my colleague, the gentleman from California, is exactly right with regard to the tragic loss of Senegalese in the airplane crash. They lost at a higher percentage of their armed forces than any other nation in the Gulf did.

Yesterday, the gentleman from California justified cutting Pakistan's aid partly on the basis that the money would be better used in Africa. I would point out to him that if he feels that way he should support this amendment because there would be another \$100 million that would not go to India.

**On October 5<sup>th</sup>, 1990 The Honorable Mr. Faleomaraga introduced H. CON. RES. 380 Concurrent Resolution:**

Expressing the sense of the Congress that the people of the Province of Punjab in India should be given the opportunity to determine its political status.

Whereas the Congress is concerned about the violence in the Province of Punjab, India;

Whereas the violence in Punjab appears to be related to a desire by a majority of the residents of Punjab to obtain fundamental human rights which they are denied;

Whereas the denial of basic human rights has increased under the current Indian Government;

Whereas the Government of India is not permitting internationally recognized human rights organizations, such as Amnesty International, to determine the validity of the claims of violation of human rights in Punjab;

Whereas elections in Punjab have been repeatedly postponed which have the effect of denying the residents of Punjab the inalienable right to select their political leaders and determine the political status of the region: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the people of the Province of Punjab, India, like people of all nations, have the right to self-determination and should be afforded the opportunity to decide their own future through a plebiscite sponsored or supervised by the United Nations.*

**On June 3<sup>rd</sup>, 1991 The Honorable Mr. Herger introduced the following Bill to deny nondiscriminatory (most favored nation) trade status to India (H.R. 2510)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1 FINDINGS:*

The Congress makes the following findings:

(1) Amnesty International, in an October 1990 report, confirmed that it had received reports that dozens of prisoners being held in Indian prisons across the country had died in police custody after being tortured, that the most persistent allegations of torture of political prisoners have come from the Punjab, and that such allegations have been confirmed by an official commission of inquiry.

(2) Amnesty International attributed police excesses, arbitrary arrests, and prolonged detention without trial to the removal of legal



safeguards in security laws and “official failure to clamp down on lawlessness by India's national and state security forces”.

(3) Amnesty International has urged the Indian Government to investigate “persistent allegations that political activists have been killed in staged “encounters” with the police, especially in the Punjab.

(4) The Washington Post has reported that documented human rights abuses by Indian security forces such as rape, arson, and extrajudicial executions are rampant in Kashmir, and that crowd control often involves rapid use of live ammunition.

(5) In a bloody crackdown by India's security forces in Kashmir, hundreds have been killed, thousands have been beaten, tens of thousands have been searched, and hundreds jailed.

(6) Records of deaths in prisons in India are frequently not kept.

On February 19<sup>th</sup>, 1991 The Honorable Mr. Burlow introduced a bill for terminating U.S. Assistance programs to India (H.R. 953)

To terminate United States development assistance programs for India if the Government of India is implementing a policy which prevents representatives of human rights organizations from visiting India in order to monitor human rights in that country.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Human Rights in India Act”.

## **SECTION 2. DEVELOPMENT ASSISTANCE FOR INDIA.**

**(a) REPORT ON ACCESS OF HUMAN RIGHTS MONITORING ORGANIZATIONS:** Not later than 60 days

after the date of enactment of this Act, the President shall report to the Congress whether the Government of India is implementing a policy, which prevents representatives of Amnesty International and other human rights organizations from visiting India in order to monitor human rights conditions in that country.

**(b) TERMINATION OF DEVELOPMENT ASSISTANCE**

**PROGRAMS:** If the President reports to the Congress, either pursuant to subsection (a) or at any time, that the Government of India is implementing a policy which prevents representatives of Amnesty International and other human rights organizations from visiting India in order to monitor human rights conditions in that country, all assistance for India under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; related to development assistance) shall be terminated, except for assistance to continue the vaccine and immunodiagnostic development project, the child survival health support project, and the private and voluntary organizations for health II project.

**(c) RESUMPTION OF ASSISTANCE:** Assistance terminated pursuant to subsection (b) may be resumed only if the President reports to the Congress that the Government of India is no longer implementing a policy which prevents representatives of Amnesty International and other human rights organizations from visiting India in order to monitor human rights conditions in that country.

I shall now reproduce from the Congressional Record of July 31<sup>ST</sup>, 1991 The Honorable Dan Burton's statement which covers two important events, the cold blooded murder of 10 Sikh pilgrims by the Uttar Pradesh police and my prosecution for declaring independence of the Sikh Homeland by democratic and peaceful means.

**THE HONORABLE DAN BURTON OF INDIANA HJR. 2568**

Mr. BURTON of Indiana. Mr. Speaker, on June 19<sup>th</sup>, 1991 I offered an amendment to H.R. 2508, the International Cooperation Act of 1991, which would have terminated United States development assistance to

India if India continued to prevent human rights organizations, like Amnesty International and the International Red Cross, from working inside the Punjab and Kashmir. In the debate on my amendment, many arguments for preserving unconditional United States assistance to India were put forth by the defenders of India. The most-used argument suggested that India would never work to improve its human rights record if the United States was viewed as meddling in its internal affairs. Therefore, it was suggested that a sense-of-the-Congress resolution would be a more appropriate way for affecting change in the Punjab and Kashmir.

Unfortunately, such a sense of Congress was passed in place of my amendment. To those Members of Congress that supported this sense-of-the-Congress resolution, I commend two articles, which describe the July 13<sup>th</sup>, murders of 10 Sikhs at the hands of Indian police, as well as two Khalsa Raj Party press releases. It would appear that this much belly-booded sense of the Congress' resolution had little effect on India's long standing policy, shoot first, ask questions later.

The material follows:

### **TEN SIKHS KILLED BY POLICE WERE PILGRIMS, NOT MILITANTS**

NEW DELHI, July 18<sup>th</sup> - Ten Sikh men killed by police in the northern Indian State of Uttar Pradesh were pilgrims and not Sikh militants, a newspaper reported Thursday.

**The Times of India said in a front-page report that police gunned them down in cold blood last week in three different places in Pilibhit region, and later claimed that they died in gun battles with security forces.**

There was no immediate official word on the Times report.

The Times said the dead men were part of a group of Sikhs which lived in Pilibhit and had hired a bus a day earlier to visit a famous Sikh shrine in the western province of Maharashtra.

Policemen intercepted the bus following a tip off that the passengers included some Sikh militants, separated the men and women, and asked the men to board a mini bus, it quoted witnesses and police sources as saying.

**The Times said on the night of July 12<sup>th</sup> and early the next day policemen took the 10 Sikhs in two groups of four and one of two and shot them dead in cold blood. It continued to say the gunfire was heard by villagers.**

Police later said the Sikhs died early July 13<sup>th</sup> in “encounters”, an official euphemism for gun battles.

The daily said police claims that two of the men were self-styled “lieutenant generals” of the outlawed Khalistan Liberation Army and Khalistan Commando Force were also in doubt.

Police in Uttar Pradesh, India's most populous state, have been previously accused by human rights groups of killing people in cold blood and passing.

Sikh separatists shot dead five policemen and three civilians in random and apparently revenge killings in Uttar Pradesh on the night of July 13<sup>th</sup>.

Sikh militants fighting for a homeland in Punjab are known to be active in some other parts of the country as well, mainly in Sikh-populated areas such as Pilibhit.

## **TEN SIKHS KILLED BY POLICE**

**On 13<sup>th</sup> July 1991, Indian police personnel reportedly killed 10 Sikhs near Pilibhit, Uttar Pradesh. Amnesty International is concerned that they may have been victims of extrajudicial executions deliberately killed without provocation.**

Members of both the upper and lower houses of India's parliament have demanded an inquiry, urging punishment of the police involved if official

wrongdoing is found to have occurred. It is not known whether an inquiry has been ordered into the incident

Amnesty International regularly receives reports of human rights violations committed against Sikhs in Punjab who are suspected of being members or sympathizers of Sikh militant groups advocating a separate Sikh state, “Khalistan”.

Recommended Action: Telegrams/telexes and airmail letters:

Expressing concern at reports that the ten Sikhs shot by police near Philibhit in Uttar Pradesh on 13<sup>th</sup> July 1991 were victims of extrajudicial execution, deliberately killed without provocation:

Urging that there be a prompt and impartial inquiry into the incident; that those selected to carry out the inquiry be selected for their impartiality; that the methods and results of the inquiry be quickly made public; and that if police officials are found responsible for extrajudicial executions, they be brought to justice;

Urging that immediate steps be taken to ensure that those potentially implicated are removed from positions of control or power over complainants, witnesses and their relatives as well as those conducting the inquiry;

Urging that the families of the victims be granted adequate compensation.

Appeals to: Mr. Kaylan Singh, Chief Minister of Uttar Pradesh, Office of the Chief Minister, Lucknow, Uttar Pradesh, India, Mr. V.K. Jain, Director General of Police, Police Headquarters, Lucknow, Uttar Pradesh, India.

Copies to: Mr. M.M. Jacob, Minister of State Home Affairs, North Block, New Delhi 110 001, India.

(Telegrams: Home Affairs Minister Jacob, New Delhi, India)

(Telexes: 953 31 61879 frgn in; 953 31 61880 foreign in (via Ministry of Foreign Affairs.)

Ambassador Abid Hussain, Embassy of India, 2107 Massachusetts Ave., NW. Washington, D.C. 20008.

Please send appeals immediately. Check with the Colorado office between 9:00 a.m. and 6:00 p.m., Mountain Time, weekdays only, if sending appeals after August 30<sup>th</sup>, 1991.

**COLONEL PARTAP SINGH DECLARES KHALSA RAJ PARTY -  
SOLE OBJECTIVE: OUTRIGHT INDEPENDENCE FOR  
KHALISTAN**

WASHINGTON, D.C., May 15<sup>th</sup> - Colonel Partap Singh, Co-convenor of the Movement Against State Repression, who recently resigned from the Akali Dal (Mann), today announced the formation of the Khalsa Raj Party. Rejecting the faltering leadership of the Akali Dal Party, which has reneged on its promise to fight for Sikh freedom, **Colonel Partap Singh said the sole objective of the Khalsa Raj Party is to gain outright independence for the Sikh nation, creating a separate, sovereign state of Khalistan.**

According to a booklet released by Colonel **Partap Singh containing the Sikh declaration of independence and a constitutional profile of the Khalsa Raj Party, independence will be attained “through democratic, peaceful and non-violent means.”**

Colonel Partap Singh made it abundantly clear that “Sikhs are fully convinced that they can never hope to live with honor and dignity in India as equal citizens.” **Sikhs, he said, “have been virtually reduced to the status of slaves.”**

**Reviewing the history of the “partnership between the Sikhs and India,” Colonel Partap Singh said that the Sikhs have been betrayed at every juncture.** At the time of independence from British rule, he said, “the British rulers negotiated the transfer of power . . . to three distinct

communities, vis., Hindus, Muslims and Sikhs.” The Sikhs “chose to cast their lot with India” with promises by “(Mahatma) Gandhi and the leadership of the Indian National Congress . . . that the interests of the Sikhs, as a collective entity, shall be safeguarded by giving them an autonomous region in the North” and guaranteeing full satisfaction with any future Indian constitution.

Yet despite such promises, according to Colonel Partap Singh, “the constitution was so inimical to the Sikh interests that their representatives refused to append their signatures to that document in protest” In view of the Sikh nation, “the partnership that the Sikhs entered into with Bharat (India) in 1947 stands dissolved since the major and mightier partner has violated every term and basis of the partnership.”

Colonel Partap Singh's assertions find strong **support in Amnesty International's May 1991 report, “Human Rights Violations in Punjab: Use and Abuse of the Law.”**

**Thousands of people have been arrested by police and security forces in Punjab . . . Prisoners have been detained for months or years without trial under provisions of special legislation suspending normal legal safeguards, and reports of torture during interrogation are common.** The arrest and detention of some detainees remains unacknowledged for weeks or months. Scores of people have simply “disappeared”, the security forces refusing to admit that they had ever been arrested. It is feared that many of them have been killed in custody.

**Dr. Gurmit Singh Aulakh, who will act as Co-convenor of the Khalsa Raj Party on the international front, gave a warning to the Indian government “The Indian government had better be well aware that it cannot keep the Sikh nation in the chains of slavery with its deadly force,”** he said. “It had better beware that its practice of eliminating Sikh leaders will be fruitless. Freedom is the God-given right of all nations and the Sikh nation is determined to gain its independence.

**Dr. Aulakh has hailed the Khalsa Raj Party as a major step for the Sikh nation in the direction of independence.** “There is a tremendous

groundswell of support for Sikh freedom,” he said. “The Sikh independence movement impeded only by our former political leaders in the Akali Dal. Those leaders were understandably afraid for their lives to stand up for Khalistan. But the Sikh nation needs courage from its leaders if it ever wants to break the bonds of oppression. The Khalsa Raj Party embodies that courage-it exists solely for the independence of Khalistan.”

Since 1984 when Indian government forces attacked the holiest of Sikh shrines, the Golden Temple, the Sikh youth have taken the brunt of Indian government oppression. According to Dr. Aulakh, “between 20 to 30 Sikh youths are killed by the Indian government in extrajudicial killings everyday. **The Khalsa Raj Party recognizes this fact and wants to integrate the youth movement with the mass movement to free Khalistan.**

“The mass movement of civil disobedience is the most essential element of our freedom struggle,” Dr. Aulakh continued. “The Indian government cannot possibly continue its oppressive rule over the Sikh nation if we refuse to cooperate. Unity is our strongest weapon. The Khalsa Raj Party will make that unit an unbeatable force for freedom. We will form demonstrations to protest brutal Indian government oppression and demand outright independence for Khalistan. We will boycott the Indian government and urge the international community to do the same by putting social and economic pressure on the Indian government. India is disintegrating. It is not one nation but a conglomerate of nations held together by the nexus of oppression. **India must come to understand that its government by oppression is unacceptable to the International community and will not be tolerated.**”

Considering the sentiment of the Sikh nation and its fervent demand for freedom from India, such an approach will be eagerly received. But the extent of the Khalsa Raj Party reaches even further. It plans to integrate the 3 million Sikhs living abroad (Europe, North America, South Asia, etc.) ‘The Khalsa Raj Party is a party for all Sikhs,’ said Dr. Aulakh. “We are 21 million people. We are a strong force. The Khalsa Raj Party recognizes the vital role Sikhs living abroad play in our movement for independence, and we plan to utilize our international population to its fullest potential. In



today's world, no nation lives in a vacuum. What happens one place effects another, and those Sikhs living abroad have considerable worldwide influence. As Sikhs throughout the world bring international attention to the plight of the Sikh nation, freedom for Khalistan comes closer everyday.”

“And indeed, the ambitious views of the Khalsa Raj Party can only be eagerly accepted by the international community. **Self-determination is enshrined in Article I of the United Nations Charter. And according to article 2 of the Sikh Declaration of Independence, freedom for the Sikh nation will help to “usher in an era of peace in the Indian subcontinent and South Asia.”**

The world applauds the Sikh nation and its struggle to be free.

### **PRESS RELEASE, MAY 15<sup>th</sup>, 1991**

Colonel Partap Singh (Retired), former President of Bharat Mukti Morcha (Punjab), Co-convener of MASR and member of the working committee, Akali Dal (Mann) from which he resigned a couple of months ago, announced the formation of Khalsa Raj Party. He said that the Shiromani Akali Dal has splintered into numerous factions after the government's decision to hold elections. All the tall promises Akali leaders made from every conceivable platform that their objective was liberation of the Sikhs and their homeland were thrown into the winds the moment they envisioned a place for themselves in the governance of Punjab under the “Indian Constitution”. They have thus played a cruel joke on their own people by confusing them even more, condemning them to perpetual slavery and subjecting them to ever escalating state repression.

**Under the circumstances there is no alternative to organizing a political party, which has the sole aim of creating an independent and sovereign Sikh Homeland, Khalistan. The Khalsa Raj Party fulfills that need.**

Colonel Partap Singh also released a booklet incorporating the constitutional profile of the Khalsa Raj Party and Declaration of

Independent of Sikh Homeland. The declaration makes a comprehensive case for parting of the ways between India and the Sikhs. He said that the partnership that the Sikhs entered into with Bharat in 1947 stands dissolved since the major and mightier partner has violated every term and basis of the partnership. In fact, the Indian state has gone a long way beyond by mounting an all-out offensive on every facet of Sikh life through persistent genocidal policies and by depriving them of their democratic, civil and human rights.

He said that the Sikhs were fully convinced that they can no longer live with dignity and honor in India, that their future in this system is bleak and full of suffering and that their life, liberty and even identity are in danger.

**Colonel Partap believes that “creation of an independent Sikh Homeland will be in the interest of India as well as that of the Sikhs, it will usher in an era of peace in South Asia and help establish a just order.** He emphasized that if parting of the ways comes about peacefully and in a spirit of equity and fair play, there will be a possibility of collaboration between India and Khalistan in such matters as common defense, open border and common market. **Suppression of their aspirations will lead to further bloodshed and bitterness, which will be an impediment to our future relationship. Let us not repeat 1947 and its aftermath,” he said.**

(Released by Information Bureau, Khalsa Raj Party.)

On September 16<sup>th</sup>, 1991 The Honorable Dan Burton made the following statement in the House:

### **KHALISTAN: THE ONLY SOLUTION**

Mr. BURTON of Indiana: Mr. Speaker, I rise today in support of the freedom of the Sikh nation. On October 7<sup>th</sup>, 1987, the Sikh nation declared independence from India forming the separate country of Khalistan. I want to go on record as saying Khalistan is the only solution to the Punjab problem.

Under the oppression of the Indian Government, the Sikhs have suffered untold atrocities. Since 1984, over one hundred thousand Sikhs have been killed by Indian police, para-military forces, and death squads. At this very moment fifteen thousand Sikh prisoners of conscience languish in Indian prisons without charge or trial.

I quote a recent Asia Watch report:

“Torture, extrajudicial murders, ‘encounter killings,’ rape, ‘disappearances,’ extortion, arbitrary arrest, detention without trial, the denial of freedom of press and expression, and the maintenance of internationally repudiated draconian laws are among the gross violations committed by the Indian Government and its forces.”

The report adds that:

“Throughout Punjab, torture is practiced systematically in police stations, in prisons and in detention camps used by the paramilitary forces. In virtually every case Asia Watch investigated, persons taken into custody were tortured.”

Police are even given quotas by their superiors to kill a certain number of Sikhs each month. Mr. Speaker, can we honestly attach the good name of democracy to a country, which terrorizes, tortures, and murders its own minorities?

The Sikh nation is fighting for its freedom and it needs the country, which the U.S. Congress. I submit for the record a resolution passed by the National Federation of Young Republicans on July 13<sup>th</sup> urging the government of India to “remove all occupying forces from Khalistan and honor the independence of the Sikh nation.”

I submit, as well, the Associated Press list of the world's ten “Would-be-Nations,” on which Khalistan is listed. Today three of the nations on the list-Latvia, Estonia, and Lithuania-are independent, and three others-Slovenia, Croatia and Georgia-are well on their way there. With the help of the international community, Khalistan too, will soon have its freedom.

I want to note that the drive to censure India for its violation of human rights is fast gaining international consensus. Both Germany and Norway have moved to reduce aid to India. I have introduced a bill, the Human Rights in India Act (H.R. 953), which would terminate U.S. aid to India until the Indian Government allows internationally recognized human rights monitors within its borders to investigate atrocities. Amnesty International has been denied entry for this purpose since 1978. I beseech all my colleagues in the U.S. Congress to support this bill. India must receive the message that the world community will not tolerate its government by oppression. And we, the Members of the U.S. Congress, must take a leading role in creating a new world order in which freedom is the rule not the exception.

## **INDIA BLAMES NORWAY FOR GERMAN FOREIGN AID CUT**

(By Narendra Taneja and Sverre Trandhagen)

India lays blame on Norway for the controversial plan to cut foreign aid to the country.

“Germany wants to reduce aid for exactly the same reason that Norway did earlier,” claimed a high placed official in the Indian foreign department of Dagen Naeringsliv.

This awakened considerable irritation from the Indian authorities when they were informed last fall of the decision that Norwegian foreign aid would be drastically reduced.

Even though there is talk now of a cut of 35 million kroners in agricultural grants, from 140 million in 1990 to 105 million in 1991, the Indians expressed strong concern of a “snowball effect” where other contributing countries follow Norway's example.

According to the German press, the federal ministry of economic cooperation (BM2) in Bonn has now decided to reduce foreign aid to India by at least twenty-five percent starting next year. Germany's annual foreign aid has been around three hundred and sixty-five million marks.

Foreign Aid minister Crete Faremo is not overly convinced about the Indian accusations that Norway is responsible for German foreign aid cuts.

I have gone into some detail of the proceedings in the U.S. Congress to highlight the concern of the freedom loving people, living half way around the world, and putting the Indian state in the dock for grossly violating the rights of the Sikhs and directly promoting their case for freedom. I have advisedly omitted a great deal to avoid making this monogram bulky.

I shall now record the resolution of the Young Republicans National Federation passed unanimously at their biennial convention held at Miami on July 13<sup>th</sup>, 1991.

## KHALISTAN

WHEREAS the Young Republican National Federation is concerned about the violence in Khalistan, and;

WHEREAS the Indian government currently has at least five hundred thousand paramilitary and full combat forces deployed in Khalistan, and;

WHEREAS the denial of basic human rights continues under the current Indian government, and;

WHEREAS the Indian government has refused to allow internationally recognized human rights monitors such as Amnesty International within its borders to investigate atrocities, and;

WHEREAS Domestic human rights groups such as the Punjab Human Rights Organization, have fully documented the existence of Indian government death squads which indiscriminately murder the Sikhs of Khalistan, and;

WHEREAS the Indian government has diverted water from Khalistan in direct violation of the internationally recognized riparian principle governing regional water rights, and;

WHEREAS the Indian constitution displays an undue prejudice against the Sikhs and having the effect of denying Sikhs their democratic, political rights, and;

WHEREAS Laws under the Indian constitution like the Terrorist and Disruptive Activities (Prevention) Act (TADA) of 1985 have been called “disturbing” and “completely unacceptable” by members of the United Nations Human Rights Committee, and;

WHEREAS No representative of the Sikh nation has ever been a signatory to the Indian constitution, and;

WHEREAS Freedom is the birthright of all nations, now therefore;

BE IT RESOLVED: By the Young Republican National Federation that the Sikhs of Khalistan, like all peoples of all nations, have the right to independence; that the independence of Khalistan, as declared by the leadership of Sikh nation on October 7<sup>th</sup>, 1987, should be honored by the Indian government with the immediate removal of all occupying forces from the soil of Khalistan; and that the Indian government should settle this matter peacefully by immediately sitting down with the leadership of the Sikh nation to demarcate the boundaries between India and Khalistan.

Recently the prestigious U.S. Congressional Research Service carried out a detailed research on: “India-Regional Dissidence and Human Rights Problems.” Here are a couple of excerpts from its forty-six-page report - published on August 2<sup>nd</sup>, 1991:

With its foreign debt levels approaching \$75 billion, and depleted foreign exchange reserves, India probably needs concessional loans as much as at any time in its history . . . This leads some to suggest a conscious effort to condition bilateral and multilateral aid by India's “Paris Club” donors on Indian responsiveness to Western concerns about human rights and economic mismanagement.

If other donors such as Japan and the European countries could be persuaded to cooperate in pressuring New Delhi on its human rights shortcoming, such an approach would certainly gain the attention if not the response of the Indian government.

On June 27<sup>th</sup>, 1991, the Associated Press published a list of 10 would be nations which includes Khalistan. Some of these nations like the Baltic States have already won their freedom. An independent, sovereign Sikh state of Khalistan is not far away.

The extent to which the U.S. Congressmen can go to ensure liberty and human rights of a single person charged under the draconian laws of India can be judged from the letter 20 eminent members of the House of Representatives addressed to the Indian Ambassador on September 12<sup>th</sup>, 1991, reproduced below:

His Excellency Abid Hussain, Ambassador of India, 2107 Massachusetts Ave., NW Washington, D.C. 20008

Dear Ambassador:

We write with grave concern regarding the case of Lieutenant Colonel Partap Singh, of Punjab. On May 15<sup>th</sup>, 1991 Colonel Partap Singh formally declared the formation of the Khalsa Raj Party. Its goal is the formation of a free and independent Khalistan.

Its means were clearly stated as peaceful, democratic, and non-violent.

According to the rules of free, democratic societies, Colonel Partap Singh broke no law. Rather, he exercised his democratic right to free speech. Despite this, Colonel Partap Singh was charged with a host of crimes under the Indian Penal Code and the Terrorist and Disruptive Activities (Prevention) Act (TADA).

As you are aware, India's TADA laws fall far short of international standards for the protection of individual civil and human rights. The

United Nations Human Rights Committee called them “disturbing” and “completely unacceptable”.

Under TADA, the presumption of innocence is reversed to a presumption of guilt and the charged can be detained up to one year without a trial or even being charged with a crime. Had Colonel Partap Singh remained in India, he would have faced illegal imprisonment, torture, and possibly death. Fortunately, however, Colonel Partap is today safe in the United States.

In view of these facts, Mr. Ambassador, we are compelled to admonish the Indian government for its violation of human rights. As individuals who hold in the highest regard only those governments which respect political, religious and human rights, we demand that the Indian government cease its blatant discrimination against the Sikhs. We demand that the TADA laws be at once abolished in the name of fairness and democracy. And we demand that all charges leveled against Lieutenant Colonel Partap Singh be dropped, that he be allowed to return to his family on his native soil, and that his safety, upon return, be fully guaranteed by the government of India. We request your prompt assurance from the Indian government.

Sincerely,

Signed, Members of Congress

*Dan Burton; Tom Lantos; Duncan Hunter; Eni Faleomavaega; Vin Weber; Les Aspin; James H. Quillen; Connie Morella; John Porter; Floyd H. Flake; Benjamin A. Oilman; Helen Delich Bentley; Dick Zimmer; Dick Swell; Ben Blai; Jolene Unsoeld; Wally Merger; Vie Fazio; John T. Doolittle; Bernard J. Dwyer.*

In addition, some other Congressmen have separately written to the Indian Ambassador on my behalf and have urged the government of India to repeal the draconian laws like T.A.D.A.



## CHAPTER XI

# THE KHALSA RAJ PARTY AND DECLARATION OF INDEPENDENCE

In this concluding chapter is reproduced verbatim the press release issued by the author at a well-attended press conference held at Chandigarh on May 15<sup>th</sup>, 1991 whilst launching the Khalsa Raj Party, its Constitutional Profile and the Declaration of Independence of the Sikh Homeland.

### **Press Release:**

May 15<sup>th</sup>, 1991

Colonel Parat Singh (Retired), former President of Bharat Mukti Morcha (Punjab), Co-Convener of MASR and member of the working committee, Akali Dal (Mann) from which he resigned a couple of months ago, announced the formation of the Khalsa Raj Party. He said that the Shiromani Akali Dal has splintered into numerous factions after the government's decision to hold elections. All the tall promises Akali leaders made from every conceivable platform that their objective was liberation of the Sikhs and their homeland were thrown to the winds the moment they envisioned a place for themselves in the governance of Punjab under the "Indian Constitution". They have thus played a cruel joke on their own people by confusing them even more, condemning them to perpetual slavery and subjecting them to ever escalating state repression.

Under the circumstances there is no alternative to organizing a political party, which has the sole aim of creating an independent and sovereign Sikh Homeland, Khalistan. The Khalsa Raj Party fulfills that need.

Colonel Partap Singh also released a booklet incorporating the constitutional profit of the Khalsa Raj Party and Declaration of Independence of Sikh Homeland. The declaration makes a comprehensive case for parting of the ways between India and the Sikhs. He said that the partnership that the Sikhs entered into with Bharat in 1947 stands dissolved since the major and mightier partner has violated every term and basis of that partnership. In fact, the Indian state has gone a long way | beyond by mounting an all out offensive on every facet of Sikh life through Persistent genocidal policies and by depriving them of their democratic, civil and human rights.

He said that the Sikhs were fully convinced that they can no longer live dignity and honor in India, that their future in this system is bleak and full suffering and that their life, liberty and even identity are in danger.

Colonel Partap Singh believes that “creation of an independent Sikh Homeland will (be in the interest of India as well as the Sikhs. It will usher in an era of peace South Asia and help establish a just order.” He emphasized that if parting of one | ways comes about peacefully and in a spirit of equity and fair play, there will be a possibility of collaboration between India and Khalistan in such matters as common defense, open border and common market. Suppression of their aspirations will lead to further bloodshed and bitterness, which will be impediment to our future relationship. “Let us not repeat 1947 and its aftermath he said.

Released by: Information Bureau Khalsa Raj Party

## **QUOTATIONS FROM THE INSIDE COVER OF THE BOOKLET**

“For one who has lost his honor even eating food is sinful.” - *Guru Granth Sahib*

“Recognize ye all the Human Race as one.” - *Guru Gobind Singh*

“Dis-honor is worse than Death.” - *Winston Churchill*

“When all means of peaceful persuasion have failed it is righteous to draw sword.” - *Guru Gobind Singh*

“You (Sikhs) take my word that if ever the Congress or I betray you, you will be justified to draw the sword as taught by Guru Gobind Singh.”

- *M.K. Gandhi*

“Voice of Justice cries and cries quietly for it finds no outlet for redressing.” - *Rabindra Nath Tagore*

“Human life, liberty, dignity and an environment for pursuit of happiness are sacrosanct. When the state becomes destructive of these ends it forfeits its right to speak of the inviolability of the unity of the country, its border or constitution.” - *Partap Singh*

“Every term of the 1947 partnership between Bharat and the Sikhs has been repeatedly violated by the major and mightier partner (Bharat), and even the smaller partner's (Sikhs) life and identity have been endangered. Hence the partnership stands dissolved.” - *Partap Singh*

## **THE KHALSA RAJ PARTY**

### **(CONSTITUTIONAL PROFILE)**

#### **PREFATORY NOTE**

During the pre-independence period of the Indian subcontinent, Shiromani Akali dal, the main political party of the Sikhs, was in the forefront of the Sikh movement for achieving freedom from the British colonial rule. In the 44 years since the independence and partition of India it has been known more for factionalism, infighting, and its obsession for forming government in Punjab than to work for the deliverance of the Sikhs from the tyrannical rule of the Indian state. While the Shiromani Akali Dal was betraying the Sikh nation, the government of India brutally pursued an ever-escalating anti-Sikh genocidal policy resulting in the massacre of tens of thousands of Sikhs. Many more have been deprived of liberty through unlawful detention for years without trial; women and even minor girls

have been dishonored, and the community as a whole has been subjected to numerous other forms of uniformed brutalities on a massive scale. Despite this oppression, the traditional Akali leadership has continued to curry favor with the central government, which is responsible for mounting a brand of repression unknown in any civilized country.

Notwithstanding its recent pronouncements that its goal is the freedom of the Sikh nation, the contemporary Akali leadership unabashedly joined the election fray the moment the Indian government decided to hold mid-term polls. That they have again split into old and newly formed factions highlights the fact that their personal egos and interests are valued higher in their minds than the aspirations of the Sikh nation. Consequently, there is little likelihood that the Akali Dal factions will ever truly represent and protect the interests of the Sikh nation since it has expressed readiness to operate within the framework of the Indian constitution, thus eliminating the option for independence. There is, therefore, no alternative to float a new political party, which will have the sole aim of delivering Sikhs from the demeaning yoke of slavery.

Freedom is God ordained. It is the birth right of all people!

## **NAME**

The name of the party will be the KHALSA RAJ PARTY.

## **AIM**

The aim of the Khalsa Raj Party is to create an independent, sovereign Sikh homeland to be known as KHALISTAN.

## **DECLARATION OF INDEPENDENCE**

The Declaration of Independence, setting out in brief details the reasons for breaking ties with India, is attached herewith.

## **MEANS**

The means for achieving independence will be democratic, peaceful and non-violent.

## **GEOGRAPHICAL BOUNDARIES**

Khalistan will comprise of the present Punjab, the Union Territory of Chandigarh, and adjoining Punjabi-speaking areas fraudulently kept out during the reorganization of Punjab in 1966, i.e., along the boundary defined in the Regional Formula vide Government of India Act

## **BROAD CONCEPT**

The preservation of the sanctity of human life and liberty, the dignity and honor of the citizen, and the pursuit of happiness will be the basic principles of state policy. Other fundamental postulates include:

1. A truly democratic and secular system based on the liberal code of human relationship in accordance with the Sikh ethos and the catholicity of the Guru Granth Sahib.
2. Equal rights for all citizens, irrespective of religion, caste, creed, race or gender enjoying full freedom of conscience, expression, and association.
3. The creation of a just order and the promotion of peace in the region and throughout the world.

## **STRUCTURE**

The detailed organizational structure of the Khalsa Raj Party will be decided upon in due course. In broad terms a council of five persons will head the party. It will be charged with organizing committees for important subjects comprising of eminent personalities with requisite expertise and answerable only to the council.

Since the international support is an essential ingredient in the creation of Khalistan, the Khalsa Raj Party will have a foreign wing to be headed by Executive Vice President International, Dr. Gurmit Singh Aulakh, presently based in Washington, D.C., USA. As a member of the Khalsa Raj Party five-member council, Dr. Aulakh will be responsible for organizing international party establishments.

## **MEMBERSHIP**

Membership of the KRP is open to all adult persons who subscribe to the aims and objectives of the Party and undertake to work for their attainment.

Chandigarh  
May 15<sup>th</sup>, 1991

Partap Singh  
President, Khalsa Raj Party

## **THE DECLARATION OF INDEPENDENCE OF THE SIKH HOMELAND**

### **BRIEF BACKGROUND**

The British rulers negotiated the transfer of power to Indians with three distinct communities, vis., Hindus, Muslims and Sikhs. Among them only the Sikhs agitated against the partition of the sub-continent. When the Hindus, led by Mahatma Gandhi and Jawahar Lal Nehru, failed to win the confidence of the Muslim League, led by Jinnah, and agreed to the creation of the sovereign, independent Muslim state of Pakistan, the Sikhs first vehemently opposed the partition of the sub-continent. Failing that, however, the Sikhs successfully fought to achieve the bifurcation of the Punjab. Consequently, to appease the Sikh sentiment, nearly one-half of Punjab came to India thereby providing her access to the state of Jammu and Kashmir. As a sequel, the Bengal Province, where there was no agitation for its division, was also partitioned into East and West Bengal. This was yet another major geo-political gain for India.

The Sikh nation had the option to opt for complete independence or to join either Pakistan or India. The British were prepared to have regional constitutional arrangements that would safeguard Sikh interests. Mr. Jinnah, the President of the Muslim League, had offered the Sikhs a permanent sovereignty in a large part of the Punjab, from the River Ravi to Panipat, with weightage in representation in parliamentary institutions and other organs of the state including defense forces. The Sikhs spumed such offers of partnership in a Muslim majority Punjab and instead chose to cast their lot with India notwithstanding the fact that nearly half of the Sikh population would be uprooted from the fertile canal colonies and other prosperous areas of West Punjab. The Sikh nation acted thus trusting the solemn commitments by the Hindus. Gandhi and the leadership of the Indian National Congress assured that the interest of the Sikhs, as a collective entity, would be safeguarded by giving them an autonomous region in the North (meaning the Punjabi-speaking areas of East Punjab) and guaranteeing that the soon to be adopted constitution of the Indian state would not be passed without the full satisfaction of the Sikh nation.

After independence, however, neither these nor other promises were honored. Despite the fact that the Sikhs (1.6 percent of the population of India) has comprised 77.5 percent of those killed, exiled or sentenced to life imprisonment during the struggle for independence, the Sikh nation was grievously betrayed. Far from giving the Sikhs special position as a nationality, the government of India has reduced the Sikh homeland to colonial status. The constitution promulgated in 1950 was so inimical to the interests of the Sikhs that its leadership refused to sign the document in protest.

Ever since Independence, the successive Indian governments have devised and pursued persistent policies that have reduced the Sikh nation to a status dependency and subjection far worse than that experienced under the British colonial rule. By enacting draconian laws, the likes of which no civilized count has on its statute, the Sikhs are being deprived of their basic rights of life, liberty and property. They are denied the right of equality before law, freedom of religion, association and expression, and for the last four years, even the right to vote and elect a representative state

government of Punjab which has become, in effect, a sub-state under the present dispensation.

Despite the protestations of the propagandist Brahmanical state, events since 1981 and the continuing brutal repression in the Punjab demonstrate that the Sikhs have a fate far worse than the black population under the racist South African State at its most insensitive phase.

Since the government of India has proven its insistence to deny the Sikhs' political, religious and human rights, the Sikh nation reaffirms the declaration for the creation of a sovereign and independent Khalistan passed at the Sarbat Khaki on January 26<sup>th</sup>, 1986 and reiterated on October 7<sup>th</sup>, 1987 when the Council of Khalistan was formed.

## **PREAMBLE**

WHEREAS the government of India has persistently reneged on all its solemn commitments made to the Sikh nation and has continuously discriminated against and oppressed the Sikhs since independence;

and

WHEREAS such acts of discrimination and oppression include the ratification of a constitution that negated the promises of a genuine federal structure, which denied the Sikhs a special constitutional status in direct violation of the very basis of pre-independence assurances to the contrary;

and

WHEREAS the Indian government's unparalleled state repression has included, inter alia, full fledged military offensives against the holiest of Sikh shrines during which Indian forces engaged in the deliberate and wanton destruction of historical and religious archives including objects sanctified by the Sikh prophets;

and



WHEREAS the engineered genocide of the Sikhs after Indira Gandhi's assassination in November 1984 and the single-minded pursuit of the genocidal policies by successive governments have resulted in the deaths of tens of thousands of Sikhs, the rape of Sikh women and even minor girls, illegal detentions, torture, intimidation, and humiliation on a large scale;

and

WHEREAS the Sikhs have been kept out of the political process for a period of eight years; and now continuously for four years by extending the President's rule through six monthly constitutional amendments, sponsored first by the Congress and later by the Janata Dal governments in May and November 1990, and Janata Dal (S) in March 1991, with all the so-called national political parties unanimously supporting the bills, save for just four members voting against it in both Houses, and in view of the specially enacted draconian laws to deprive the Sikhs of life and liberty;

and

WHEREAS the Sikhs have been severely discriminated against economically through such actions as the diversion of Punjab's river waters to non-riparian states, the usurpation of the control of Punjab's river dams and hydel projects, and the deliberate diversion of savings from the Punjab to other parts of India through strict central government control of the banking system and industrial policies which have left Punjab with the lowest per capita investment for industry;

and

WHEREAS the persistent policies of linguistic chauvinism pursued by the Indian state led by fundamentalist Brahmanical and elitist upper caste forces committed to the primacy of Hindi, Hindu, and Hindustan have sought through deliberate plans, design and actions to undermine and subvert the Punjabi language and culture with the transparent long term aim of destroying basic Sikh values, ethos, and vitality;

and

WHEREAS the essence of the Sikh culture can only flourish and grow by staying true to the linguistic genius of Guru Nanak and Sheikh Farid through the growth of the Punjabi language as a broad based, open, flexible, versatile, freely assimilative and non-elitist communication medium which shall wither away in a hegemonic environment of reactionary Brahmanical values imposed and propagated through the monopolistic power of mass media under state control bent upon extirpating the Sikhs and the Sikh way of life;

and

WHEREAS the Indian State has now gone to the reprehensible extent of threatening through its military authorities that they would shoot all adult male Sikhs and take their women to army camps to “breed a new race” which is tantamount to destroying the very existence and identity of the Sikhs as a distinct and sovereign religious entity.

NOTING also that to suppress the Sikhs, their sentiments and aspirations, India has deployed more full combat, paramilitary and police forces in the Sikh homeland (comprising less than two percent of India's land mass) than were ever maintained (in peace time) by alien rulers — Moguls and British — in the entire Indian sub-continent during the past five-hundred years. To conceal its misdeeds, the successive governments have refused to allow human rights organizations with impeccable records, like Amnesty International, to conduct investigations in Punjab.

NOW, therefore, the Sikhs are fully convinced that they can never hope to live with honor and dignity in India as equal citizens at par with the majority community and are fearful of even losing their identity. The Sikhs have been virtually reduced to the status of slaves. Their homeland is being treated as a colony and made into a vast military-cum-police camp in which Sikhs are meted out treatment incomparably worse than that given to people in occupied territories during war.

Consequently, the Sikh nation has collectively declared through unanimous resolutions at various political and religious conventions and congregations on numerous occasions that the government of India should enable the Sikhs to exercise the universally accepted right to self-determination under the provisions of the United Nations Charter, particularly the Covenant on International Civil and Political Rights acceded to by India in 1979. The government of India, however, has steadfastly refused to do so. Clearly it is under no illusion that over ninety-five percent Sikhs in Punjab will vote for independence and cannot face the truth. In fact, ever since the demand for independence has been articulated by the Sikh nation, India has sharply escalated repression resulting in the extermination of dozens of Sikh everyday.

## **DECLARATION**

The Sikhs hereby declare their homeland — Khalistan — an independent, sovereign state comprising of the present state of Punjab and the adjoining Punjabi speaking areas. We call upon the Government of India to give up its design of imposing a repressive, colonial and Brahmanical hegemony on the Sikh people and to negotiate with the Sikh leadership the alignment of the international boundary and other related matters.

We further declare that the future relationship between India and the Sikh homeland will be on the basis of equality and mutual advantage; modalities to be determined in the spirit of give and take and in the context of our common heritage and history so as to usher in an era of peace in the Indo-Pakistan sub-continent and South-Asia.

We invite the government of India to create a conducive atmosphere for conducting peaceful negotiations by abrogating all draconian laws, announcing general amnesty for Sikh prisoners of conscience and those detained unlawfully or on trumped up charges, and to reverse all policies, regulations and administrative orders designed to deny the Sikhs their civil and human rights and subvert the political, economic, and cultural development of our homeland and language.

## QUOTATIONS FROM THE INSIDE BACK COVER

### Sikh Contribution to the Freedom Struggle

<b>Punishment suffered</b>	<b>Sikhs</b>	<b>Non-Sikhs</b>	<b>Total</b>
<b>Hanged</b>	<b>93</b>	<b>28</b>	<b>121</b>
<b>Imprisoned for life</b>	<b>2147</b>	<b>499</b>	<b>2646</b>
<b>Killed at Jallianwala Bagh</b>	<b>799</b>	<b>501</b>	<b>1300</b>
<b>Killed at Budge Budge Ghat</b>	<b>67</b>	<b>46</b>	<b>113</b>
<b>Killed in Kooka Movement</b>	<b>91</b>	<b>—</b>	<b>91</b>
<b>Killed in Akali Movement</b>	<b>500</b>	<b>—</b>	<b>500</b>
<b>Total</b>	<b>3697</b>	<b>1074</b>	<b>4771</b>

Sikhs comprised 1.6 percent of the population of undivided India

Note: 1. Statistics furnished by Maulana Abdul Kalam Azad as President of the Indian National Congress.

Note: 2. Sixty percent of the officers and soldiers who joined Indian National Army were Sikhs.

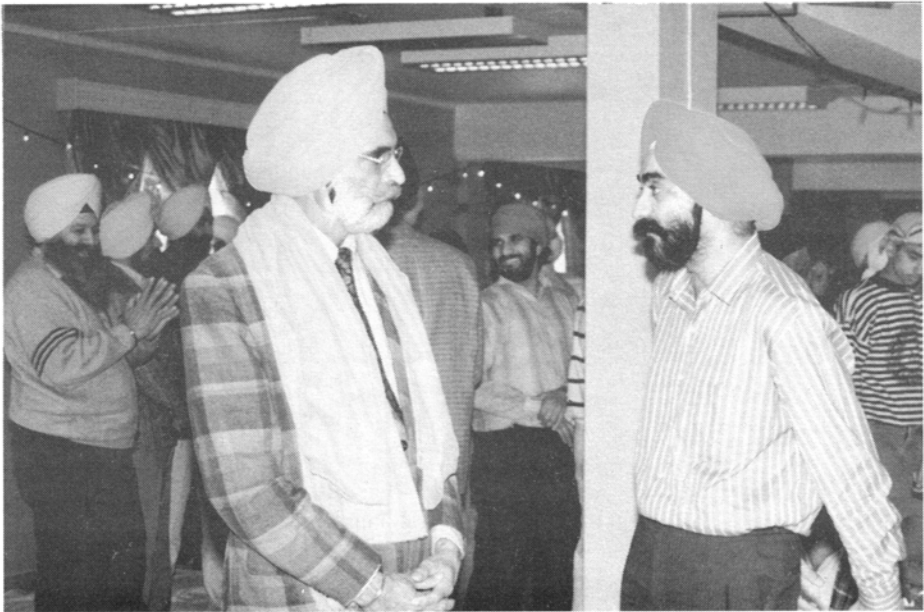
### Did Allama Iqbal have Sikhs in mind when he wrote?

*When the garden (country) needed blood  
We slit our neck, first of all  
Even then our compatriots tell us  
This is their land and not for us  
How long shall we in seclusion remain!  
Were it a question of flowers few  
We could have suffered that much too  
But not even thorns can we now claim.  
A warning for our times*

“In Germany, the Nazis came first for the Communists and I didn't speak up because I wasn't Communist. Then they came for the Jews, and I didn't speak up because I was not a Jew. Then they came for the trade unionists, and I did not speak up because I was not a trade unionist.”

“Then they came for the Catholics, and I was a Protestant and so I did not speak up.”

“Then they came for me, and by that time there was no one left to speak for anyone.” - *Martin Niemoller, 1892-1984*



**Wearing *Siropa* (robe of honour) presented by the Sikh  
sangat of Norway. Conversing with Dr. Devendra  
Singh, editor Voice of Khalistan**

# ANNEXURE 1

(REFERS TO PREFACE, PAGE 8)

## **SEMINAR ON SIKH FREEDOM AND THE INDIAN STATE HELD ON SEPTEMBER 18th, 1991**

at Norwegian Institute of International Affairs, Oslo, Norway

Organized by Norwegian Institute of International Affairs, Peace Research  
Institute, Institute of Human Rights and Amnesty International, Norway.

### **ATROCITIES BY INDIAN SECURITY FORCES IN PUNJAB**

By Lieutenant Colonel Partap Singh, *Retired*

President, Khalsa Raj Party

I am grateful to the Norwegian Institute of International Affairs for inviting me to talk to you about the Atrocities in Punjab. Let me first give you a brief eye view of its geographical and historical features.

Punjab is situated in the North West part of India with Pakistan in the West and the Indian states of Jammu and Kashmir and Himanchal Pradesh in the North, Haryana in the South and Rajasthan in the South West. Its total area of 50,362 square kilometers is less than two percent of India's landmass. At the time of independence and partition of India it was an agriculturally deficit area. There was no industry worth the name. forty percent of the Sikh population worldwide was uprooted from the fertile lands of the newly created country, Pakistan, in the largest human migration in history. Majority of the migrants settled down in the present day Punjab. Because of their qualities of hard work, initiative and adaptation to new ideas and technology the Sikhs turned their land of adoption into the most fertile and

productive state of India. They produce more than fifty percent of India's food grain reserves in Punjab alone. If you add the contribution of the Sikh farmers settled in other States the figure will be over sixty percent. In the uncontrolled small-scale sector, the Punjab at one time had the largest concentration of industries, area wise, in the world.

Sikhs are reputed to be among the finest soldiers and farmers in the world. The greatest asset of the proposed country of Khalistan is its manpower. Sixty-eight percent of Punjab's population of around twenty million are Sikhs and thirty percent are Hindus. Christians, Muslims, and Jains, make up the remainder two percent. The Sikh population has increased somewhat since the 1966 Reorganization because of immigration from other states in the wake of their genocide after Indira Gandhi's assassination.

Punjab's only worthwhile natural resource is its river waters. Through trickery, high handedness and sustained anti Sikh policy nearly three-quarters of these waters is being or proposed to be diverted to the adjoining states of Haryana and Rajasthan in gross violation of the universally accepted national and international riparian laws. That will render most areas of Punjab unproductive and its people destitute. Together with the fraudulent amputation of large chunks of Punjabi speaking area during the 1966 Reorganization, illegal diversion of its river waters and usurpation of the control of headworks and hydel power the centre has delivered a crippling blow to the Punjab's economy. Although its contribution to the gross national product is many times more vis-a-vis its size and population compared to any other state, its savings are deliberately diverted to other states through the government controlled banking system. The industrial policies have left the Punjab with the lowest per capita investment for industry.

Betrayal and indiscrimination immediately after independence resulted in a series of peaceful agitations by the Sikhs. The government response was one of confrontation, rejection of just demands, dismissal of popular governments, repeated imposition of the President's rule, escalation of state repression and finally launching of the utterly uncalled for operation "Bluestar" destroying and desecrating the holiest Sikh shrines all over the state. The Sikh Reference Library was deliberately set afire two days after

the “cease fire”. Priceless objects de art were destroyed by tank fire. I call it uncalled for as the induction of arms into the Golden Temple Complex was known to and even aided by the Intelligence agencies. There were about 250 defenders in the Complex to reduce which one army division plus was employed. The grand design was to break the Sikh will and morale so that they may never again agitate for their rights. The day selected was the martyrdom anniversary of the fifth Guru, Arjan Dev, when hundreds of thousands of Sikh pilgrims visit the holy places from all over the world. Thousands of innocent pilgrims and Temple employees were shot dead. Nothing remotely approaching this holocaust ever took place even during war in recorded History. That Sixth day of June 1984, the Indian government and its Army lost their soul and laid the foundation of Khalistan.

“Bluestar” was followed by Operation “Woodrose”, a mopping up operation which, in the Army parlance, means liquidation of any pockets of resistance in the vicinity of the main objective after its capture. The difference in this case was that practically all the villages in the Punjab became the targets. Young Sikhs were brutally tortured or killed, villages were cordoned off, male members were herded out and houses searched. There were many cases of rape and looting. None of the culprits, who committed these heinous crimes, completely outside the provisions of the law of the land or the Army and Police Acts, was brought to justice. On the other hand they were rewarded through promotions and gallantry awards. And thus started limited Sikh militancy, a direct consequence of gross miscarriage of justice and unparalleled state repression.

During four hundred years of its existence, whenever the foreign invaders had desecrated the Golden Temple, the Sikhs assassinated the attackers. Prime Minister Indira Gandhi and Army Chief, General A.S. Vaidya paid the price for their misadventure in the Sikh tradition. Indira's son, Rajiv was sworn in as the prime minister the very day she was assassinated although he was not even an ordinary minister in her cabinet. His first major directive to his party, the police and other concerned government departments was to, use his own words “Finish off the Sikhs”. The pogrom was qualitatively different from that of Hitler's. Whilst Hitler used his government apparatus to exterminate the Jews, Rajiv Gandhi, in addition,



incited the majority community to do in the Sikhs. For the Sikhs, “Bluestar” and genocide after Indira Gandhi's demise were tragedies beyond words

Friends, you must wonder as to why has India adopted a policy of brutalizing the Sikhs who had made sacrifices far and away out of proportion to their numbers during the freedom struggle. Even at the cost of some digression I would like to inform you that when the British decided to transfer power to Indians they negotiated the settlement with three distinct communities - Hindus, Muslims and Sikhs. The Sikhs were treated at par with the other two not because they were the third largest religious group, for Christians were nearly double their population, but for other historical and contemporary considerations. The Sikh kingdom was the last to be annexed in what was the toughest war the British waged in the entire empire-building period. Technically, the Sikh sovereignty was not lost. Minor Prince Duleep Singh, the heir apparent was nominally the inheritor of the Raj; although removed to England, he was never again allowed to set foot on his homeland. I suspect they felt somewhat sheepish of their treachery in invading the country with which they had a friendship cum non-aggression treaty, which had clearly defined geographical boundaries.

I also believe that the British appreciated the Sikh virtues and qualities of ethical living, bravery, chivalry, honesty, hard work, faith in God, justice, fair-play and genuinely believing that all men are created equal and free as taught by their great Gurus. No wonder they were given twenty-five percent share in the Defense Forces and percentage wise larger proportion in the civil services. General Atiq-ur-Rehman of Pakistan has this to say about the Sikhs, “They are the finest soldiers in the world since they have the best combination of physical and mental endurance”. These are just the qualities that are an anathema to the Indian state, which has been practicing treachery, hypocrisy, bigoted creed of Brahmanism, and the might is right syndrome, particularly in respect of minorities.

When Hindus led by Gandhi and Nehru could not win the confidence of the Muslims led by Jinnah and acquiesced to the creation of independent Muslim state, Pakistan, on the basis of treating province as an indivisible

unit, the Sikhs first vehemently opposed the partition of India and failing that successfully fought to achieve the bifurcation of the Punjab. India thus got one half of the pre-partition Punjab's territory, incidentally providing access to the princely state of Jammu and Kashmir. It was the key factor in the Hindu Maharaja, Hari Singh acceding to India despite the fact that the overwhelming majority of the states population was Muslim. As a sequel to the division of Punjab, the Muslim majority province of Bengal was also partitioned. This was yet another geopolitical gain for India of tremendous significance.

The Sikhs had option to join India or Pakistan. The British government was prepared to make regional constitutional arrangements that would safeguard Sikh interests. Mr. Jinnah had offered them permanent share in sovereignty in that pan of the undivided Punjab, which lies between River Ravi and Panipat. This area was bigger than what came to India. The Sikhs spurned these offers trusting the solemn promises by the leaders of the Indian National Congress and the Hindus. They also believed that the latter had a firm, irrevocable and sincere commitment to the creation of a state wherein justice, social and political, complete equality before law and principles that govern a modem, democratic and secular stale shall be pursued with deep and abiding commitment.

Gandhi assured the Sikhs, “Let God be the witness of the bond that binds me and the Congress with you and that the Sikhs would be justified in drawing their swords as Guru Gobind Singh had asked them to, if the Congress would resile from its commitment”. Nehru said, “The brave Sikhs deserve to have an area and set up in the North where they can also experience the glow of freedom”.

But the moment India got freedom all these promises were thrown to the winds and thus started one of the most treacherous, vile and anti-minority rule by a supposedly democratic and secular state. After butchery of Sikhs in the planned pogrom, the successive Indian governments have continued the genocidal policies. Since “Bluestar”, the police have exterminated approximately 95,000 Sikhs in military operations and extrajudicial killings. Many more have been incarcerated for indefinite periods without trial and subjected to inhuman tortures.

Other forms of brutalities such as rape of women and even minor girls, extortion, looting and burning of Sikh properties and humiliations are every day occurrences. In fact, there is no known sin, no crime that the Indian state has not committed against the Sikhs at an enormous scale.

The Punjab has the dubious honor of hosting some 50,000 combat troops, paramilitary and police. This is about double the mix of forces maintained by the British in the entire subcontinent during over two hundred years of colonial rule in peacetime. What is more, they can commit any crime with impunity. Even the draconian laws, the like of which no civilized country has on its statute, do not give license to these forces to commit such atrocities. The Punjab has been turned into a virtual army cum police camp with the largest concentration in terms of troops to space or population ratio anywhere in the world.

Deployment of Army in Punjab is unlawful since the government has neither declared martial law nor has the local civil authorities requisitioned it for internal security duties. Not to be left behind, the Army has been behaving in a most atrocious manner. They have killed innocent Sikh villagers engaged in agricultural activities, are illegally searching private homes and raping their women. Let me just give you a glimpse of some of its actions. Six farmers of village Nathu ke Burj in Tehsil Patti proceeding on a bullock cart early in the morning to buy scarce diesel for their tractors were shot dead in a purely Army ambush. An even more despicable instance is that of a senior officer, Brigadier RP. Singh, who collected the mayors and village elders in Tehsil Ajnala of Amritsar district and threatened them with these words, "If there is any terrorist violence in your villages I will shoot all male members, take your women to Army camps and breed a new race". An ultimate humiliation and pre-cursor of the shape of things to come, even Hitler did not force the Jewish women to cohabit with his soldiers to breed a new race!

It has almost become a sport with the police and para military personnel to dishonor Sikh women. I shall describe two out of innumerable such cases. Surjit Kaur, a seventeen-year-old girl, was taken to Kathunangal police station and gang raped by half a dozen cops over two days. When bleeding won't stop she was handed over to her guardians. No hospital would admit

her. One private practitioner was prevailed upon to treat her. He did so, but refused to give a written medical report. He was aware of the fate of the doctors who got on the wrong side of the police!

Another, even more reprehensible episode, is that of two minor girls aged thirteen and fourteen of village Bham in Gurdaspur district. A constable and a home guard picked them up. After satisfying their lust they killed the victims and threw their naked bodies in a ditch. Despite best efforts of their parents, village elders, social and human rights activists, and large scale demonstrations at various levels no case was registered by the authorities until a month later when protests and agitations forced the governor of Punjab S.S. Ray to suspend the guilty. In India it usually means that a departmental inquiry is held and after months the culprits are exonerated for “want of sufficient evidence”.

I shall never forget the case of a mother of three sons one of whom was extrajudicially murdered by the police. When advised to petition the government her reply was, “and also lose the other two”.

Such examples can be multiplied ad-infinity. As many as 20 to 30 Sikhs are killed daily in faked police encounters, by state sponsored vigilante groups and trigger happy drunken cops. I have already mentioned that no action is taken against the perpetrators of such barbarities, which proves beyond doubt of the unholy nexus between the police and the government. Let me give you two examples in support. The erstwhile Director General of Police J.F. Rebeiro, presently India's ambassador in Romania, declared that “in the situation that obtains in the Punjab, police accountability is to itself”. This very state of affairs was highlighted collectively by the senior most civil servants, commissioners and the administrative secretaries last month at a conference in the Punjab capital. They told Chief Secretary Tejinder Khanna that there was total police raj in the state and they were virtually made irrelevant and humiliated. They were, however, too scared to have their protest recorded in the proceedings. Reportedly, Khanna personally wrote a minute to that effect. I would like to draw your attention to another sinister situation. Most of the police stations in Punjab, numbering around 250 have one thing in common. They have four unauthorized commodities, namely, anything between 10 and 30 illegally

arrested Sikh young men. They are used for different purposes such as staging faked encounters, extracting information and extorting money from their parents and guardians. Second, unauthorized small arms and ammunition to place on the bodies of those killed in faked encounters. Security forces as you know are not allowed to keep illicit weapons. Third, instruments of torture for obvious reasons. And, lastly, garments of the militants that the policemen use for masquerading as Sikh freedom fighters to raid homes of innocent people, extort money and indulge in other unlawful activities.

Indian democracy and secularism are a myth, a fraud and a mockery. Let us see how it has been applied to the Sikhs and their homeland. I may mention in passing that the constitution framed in 1951 was drastically different in content and substance from the agreed basis propounded before independence. It was so inimical to the Sikh interests that their representative did not append their signature to that document.

During 40 years since its promulgation, Punjab has been kept under President's rule for a record period of 9 years and now continually for four and a half years, thus literally perverting the constitution. It has already been amended 77 times, averaging about two amendments per annum. Compared to any state or subject the largest number of amendments pertain to Punjab with a view to denying the Sikhs justice, rule of law and equality by imposing frequent central rule, enactment of black laws or even singling it out for clamping emergency as through the 59<sup>th</sup> Amendment.

It is not only the Congress but also all the national parties, who have in various combinations ruled India over the past two years, have been perusing virulent anti-Sikh policies notwithstanding their ideological differences. During the debate on the bills for extension of President's rule in the Punjab all but four members of parliament voted for extension in both Houses in October '90 and March '91. Thereafter many dates were set for holding elections in Punjab but were subsequently postponed. The then state governor, General O.P. Malhotra had recommended to the President that the situation was right and it was important to hold elections to bring about normalcy. He had also stated that if there was any postponement he would resign. Finally June 22<sup>nd</sup>, '91 was announced. But exactly 30 hours

before, the President and the Chief Election Commissioner went into a midnight huddle and cancelled the poll. By then all arrangements for conducting the election had been completed. Besides three Army corps and state police, 646 para-military companies had been deployed and the elections staff stationed at hundreds of polling booths. The cost of this abortive exercise and suffering and inconvenience of the candidates and the electorate can be well imagined. Malhotra was relieved and Surinder Nath, an Indian police officer was appointed governor. Incidentally, Nath was the senior adviser to the governor during Operation “Bluestar”. Punjab has yet another dubious record. Whereas a governor's tenure is 4 to 5 years, in Punjab it averages around six months. The Centre keeps experimenting with different people as governors, senior civil administrators and police officers from all over the country. Their basic qualification for these coveted jobs is their track record of willful commission of cruelties on the citizens in their areas of jurisdiction! The government hopes to use these bureaucrats to crush the Sikhs by breaking their back and so to keep them in subjugation.

When the subsequently cancelled elections were announced the Punjab Police started destroying records of faked encounters. A prominent national daily the Economic Times of May 12<sup>th</sup>, 1991 reported this on its front page. Here are some relevant extracts. “Sensitive records with the police are being systematically destroyed. Most of these pertain to cases of fake encounters . . . The Police officials feel that the recent Presidential ordinance will make it impossible for state government to prosecute a government servant on his actions during President's rule without permission of the central government would protect them to a great extent. Nevertheless, as the destruction of records indicates, they feel further need to protect themselves. When the judiciary stopped functioning, we were forced to resort to extra judicial methods”, a police officer stated.

It must be said to the credit of a very small percentage of police officers who did attempt to question the police atrocities but they were immediately sidelined. Inspector Generals Chaman Lal, J.S. Chahal and M.S. Bhullar deserve special mention. Bhullar had Govind Ram, SSP Batala Police district transferred. That officer was responsible for killing hundreds extrajudicially, torturing, humiliating and promoting corruption and other

forms of uniformed brutalities among his force. As reported in the same daily Bhullar had made three subordinate officers to return the bribe money. He also submitted the list to the headquarters of persons missing from Amritsar district during SSP Azhar Alam days. Alam had created his own killer squads called Alam Sena. "Mr. Bhullar had stated that their relatives continued to ask about their whereabouts some three to four years after they went missing and recommended that they should either be told where their kinsmen were or they should be declared dead". Government promptly had him shifted to another post. Is that not proof enough of the government's direct role in promoting terrorism and indiscipline among its security forces?

The fate of Sikhs in other states of India numbering approximately four million is even more pathetic. They are virtually treated as hostages and intimidated. There are numerous occasions when they have been massacred, their women dishonored, properties looted and destroyed. Post Indira Gandhi genocide, carnage at Bidar in the Southern state of Karnatka and Jammu in the North, the recent killing of 10 Sikh pilgrims in Uttar Pradash are the kind of fiendish realities they have to live with.

Human Rights organizations with impeccable track record like Amnesty International, Asia Watch and UN Human Rights Committee have condemned human rights abuses in India with particular reference to Punjab. Many other non-Sikh organizations in India, vis., Peoples Union for Civil Liberties, Peoples union for Democratic Rights, Committee for Information and Initiative on Punjab have investigated and documented numerous cases involving extrajudicial killings torture and disappearances. As you are aware, Amnesty International has not been allowed to visit Punjab for the past thirteen years. Clearly, India has so much to hide it cannot stand exposure.

One of the worst fall-outs of the anti Sikh policies has been the communalization of politics. The denial of their mother tongue, Punjabi, by the Hindus of Punjab in connivance with the central government during the 1961 Census brought about for the first time Hindu Sikh divide. In one blow they demolished the perfect amity and harmony between the two,

which is unlikely to be re-established in the foreseeable future. I call this the original sin!

I shall now very briefly cite my own case. On May 15<sup>th</sup> this year I announced the formation of the Khalsa Raj Party and Declaration of Independence of the Sikh homeland. The goal: Creation of Khalistan. Means: Democratic, peaceful and non-violent. Yet within a couple of days I was charged under some sections of the Indian Penal code and three weeks later under the blackest of the black laws, Terrorist and Destructive Activities Act. Under this Act the accused cannot post bail, the State High Court has no jurisdiction and the Evidence Act provisions, to treat the accused innocent unless proved guilty through due process of law, are reversed. One could be kept behind the bars for indefinite period and may never see the light of day again. Of course, in the best traditions of police, jail officials also resort to torture, humiliation and intimidation.

Contrast this with the Hindu fundamentalist leaders of Bhartiya Janata Party, Vishav Hindu Parishad, Rashtriya Sewa Sangh et-al. They have been demanding the creation of Hindu Rashtra (nation) and have been indulging in naked violence where hundreds, mostly Muslims, have been killed and many more maimed. Their best-known leader L. K. Advani sits in the parliament as the leader of the Opposition. He has been advocating Hindu Rashtra because India has Hindu majority. Yet, when a Sikh demands Sikh Rashtra in a state where the Sikhs are in majority he is charged with all kinds of offences under the Indian Penal Code and black laws. Even more important is the question as to who is the persecutor and who the persecuted. The answer is obvious. The fact of the matter is that the Sikhs have been taken out of the judicial and the political process. In sum, they are fully convinced that they have no future in India and that their life and even identity are in jeopardy. I can do no better than to quote two of my statements from my booklet that has been circulated to you.

“Human life, liberty, dignity and an environment for pursuit of happiness are sacrosanct. When the state becomes destructive of these ends it forfeits its right to speak of inviolability of unity of the country, its borders or constitution.”



“Every term of the 1947 partnership between Bharat and the Sikhs has been repeatedly violated by the major and mightier partner India (Bharat) and even the smaller partner's (Sikhs) life and identity have been endangered. Hence the partnership stands dissolved.”

In conclusion let me quote from one of Guru Nanak's hymns which gives a glimpse of the political scene of his times –

**“RAJE SHINH - MUQUDAM KUTE”**

“The rulers are ravenous beasts and the bureaucrats’ insatiable dogs.”

“The situation in the Indian Punjab is far worse.”

THANK YOU.



Sikh Community of Washington Metropolitan Area honors  
Congressman Dan Burton, a friend of Sikh Nation and  
The Champion of Human Rights in Potomac, MD.  
(L to R) Dr. G.S. Pabla, Dr. G.S. Aulakh,  
Congressman Dan Burton, and Dr. P.S. Ajrawat

# **A N N E X U R E    2**

**(REFERS TO CHAPTER II, PAGE 47)**

## **MOVEMENT AGAINST STATE REPRESSION KEYNOTE ADDRESS**

(Delivered at the Convention held at Chandigarh on 25<sup>th</sup> June 1989)

Friends,

We have gathered here today under the dark clouds of death, destruction and despondency. Love, harmony and joy have been superseded by hate, suspicion and despair. There is gloom everywhere. And this in the land of Punjab, which only five years ago was the most peaceful state in India, the industrious and courageous Punjabis had turned a deficit semi barren East Punjab into the granary of India within a dozen years of partition. Otherwise this country would still be tied to the apron strings of PL 480. In other economic activities such as industry and road transportation it had done equally well. I have mentioned industry notwithstanding the step-motherly treatment Punjab has received at the hands of the Centre which licenses, allocates funds and decides on the location of all major industrial ventures. In the decentralized small sector Punjab has surpassed all other states.

The reign of terror let loose by the Indian State on the people of this unfortunate land started with Operation “Bluestar” followed by Operation “Woodrose”, engineered genocide of Sikhs after Prime Minister Indira Gandhi's assassination and the resultant emergence of limited militancy, itself a consequence of the cruelest form of state terrorism and gross miscarriage of justice. The situation today, after five years of repression, is so alarming that unless peace loving, law abiding and patriotic citizens

collectively rise and speak up against the most diabolic police atrocities and the transformation from the general to selective genocide of a patriotic community, which has contributed by far the most in winning India's freedom and for its economic development, will be in danger of being wiped out or reduced to second class citizenship.

To fully comprehend the situation, a brief historical background of the developments from the time of India's partition, which has resulted in the present scenario, will be pertinent. The Sikhs threw in their lot with India, without reservation, as they believed that the Indian National Congress had a firm, irrevocable and sincere commitment to the creation of a state wherein justice, social and political, complete equality before law and principles that govern a modern democratic, secular state would be pursued and on the clear understanding that they would be given an autonomous status within the Union of India. Not only was no such status given but they had to struggle for 15 long years to get a moth eaten Punjabi speaking suba minus its capital and large chunks of Punjabi speaking areas. The control of river waters and the hydel power was unconstitutionally taken away from it in violation of the nationally as well as internationally accepted conventions and law governing riparian states. Consequently, many morchas (agitations) were launched. During this period of about 25 years nearly 250,000 Sikhs were jailed. This was over five times the number who courted arrest in the Quit India Movement in which the entire country was involved. Were the pre-independence commitments made to the Sikhs honored, there would have been no agitations and violence we see everywhere and India would have emerged a much stronger country.

Sikhs were also the only community that carried on relentless campaign against the Emergency imposed by Indira Gandhi exactly fourteen years ago. Over forty thousand Sikhs were imprisoned in keeping with their long, unbroken tradition of struggle against injustice, discrimination and oppression. But Indira Gandhi never forgave them for this “affront”.

To punish Sant Jarnail Singh Bhindranwale, in effect, the whole community, Prime Minister Indira Gandhi first prepared the stage and then launched a full-scale military offensive not only against the Harmandir Sahib but 38 other historic Gurdwaras besides. It may be news to many

that she actually used the Third Agency, a specially created super-intelligence agency to show to the nation and the world that there was no alternative to Army action. One cannot in one's wildest dreams imagine that a government, supposedly democratic and secular, could conceive fiendish plans to punish the most patriotic section of its society. (Does it not remind you of Indian Government's design in Sri Lanka; to train and arm the Lankan Tamils and then to disarm and kill them?). Selecting the Martyrdom Day of Guru Arjan Dev when thousands of pilgrims congregate at Harmandir Sahib and other Gurdwaras was not only to inflict maximum damage to life and property but also to drive home the message that the government did not give a damn for the religious sentiments and institutions of the Sikhs. Wanton killing and illegal detention of thousands of innocent people picked up from these Gurdwaras and illegally detained for periods up to five years, the nightmare of the mopping up operation code-named "Woodrose", the premeditated and government inspired pogrom after Indira Gandhi's assassination, rewarding the perpetrators of this monumental crime and then stifling the agonizing scream of the community through the especially enacted black laws have left few options. One of these is an appeal to the conscience of fellow Indians to force the present fascist regime to mend its ways and operate within the provisions of the Constitution and law of the land.

We hope that one of the outcomes of this Movement would be to educate our countrymen on the true position and thus mobilize public opinion for reestablishing the rule of law.

The state repression in Punjab has many ugly features. There is no country in the world, where a section of its people can be deprived of life, liberty and honor without due process of law. There are thousands of examples where Sikhs have been shot dead whilst in custody, in false encounters, in their homes, when working in the fields or during the pursuit of their vocations. Women and girls have been picked up and unlawfully detained some times for months on end. In many cases they are paraded naked in the police and interrogation centres and subjected to the same inhuman tortures by male police personnel as the men. Some are gang raped repeatedly. I shall just quote one example. seventeen-year-old Surjit Kaur was molested by five drunken policemen in the Police Station at Kanthunangal besides

being beaten with leather belts and tortured by hanging her upside down. When bleeding won't stop she was handed over to her people who took her to a doctor. The treatment helped her survive but the doctor regretfully refused to give any medical report for fear of the police. He was obviously aware of the fate of his fellow professionals who got on the wrong side of the police!

Another facet of police terrorism is that the S.H.O. have to show a minimum number of "kills". It is reliably learnt that when one has not been able to fulfill his quota he borrows some illegally detained persons from a neighboring police station and kills them in an "encounter". Yet another aspect is when the militants kill some police or para-military personnel and escape, the former pick up some innocent young men, kill them and throw their bodies at the scene of incident. There is no dearth of illicit arms and ammunition with the police to plant them on the dead bodies. A case in point: Recently, the militants at village Kalingar near Khem Karan killed two Inspectors and four constables. To show that the CRP had fought "valiantly", three youths were subsequently killed for the stated purpose.

Democratically elected sarpanches and panches are beaten up and humiliated, made to crawl in front of their fellow villagers and family members, abused in unprintable language and detained illegally at the whim of the police functionaries. Fed up with the police brutalities a couple of hundred **panches** (village mayors) resigned from some villages. Recently the Punjab Governor visited Batala and publically admitted police excesses. He was summoned to Delhi the next day, apparently for a rap on the knuckles. Soon afterwards, K.P.S. Gill, the D.G.P. gave SSP of Batala Govind Ram, a 'clean chit'. That the Governor swallowed this insult clearly shows the measure of police ascendancy over the civil administration. And that is Rajiv Gandhi's real taste of Panchayaty Raj, a major plank for his electoral campaign.

There are any number of special police hit squads and 'sainas' who operate in unnumbered vehicles to kill and extort. AS I Dalbir Singh and his squad who had committed many heinous crimes killed two youths in broad daylight in the heart of Chandigarh and subsequently took shelter with J. F. Ribiero, the then DGP of Punjab. He is the same Dalbir Singh who later

killed SSP and SP of Patiala to hush up his nefarious activities. We have heard of Alam Sena, some of whose members were recently eliminated when Azhar Alam was promoted to the rank of DIG and had to leave Jalandhar lest they gave him away.

Time and space do not permit me to go into thousands of cases of killings, torture, harassment, molestation and extortion. But I hope that you have got a reasonable impression of the kind of democracy and welfare state that an elected government has given to the Sikhs.

We hope that during the course of our deliberations today we shall reach some definite conclusions and launch this movement against state repression with clear directions for subsequent action plan. It is a Peoples' Movement without any party affiliations and all those who believe in the constitutional and human rights as enumerated in the Universal Declaration of Human Rights, to which India is a signatory, and those who hold life and honor of human beings an article of faith are welcome to join.

Let me end by quoting “The Warning for our Times” by Martin Neimoller:

“In Germany, the Nazis came first for the Communists and I didn't speak up because I wasn't Communist. Then they came for the Jews, and I didn't speak up because I was not a Jew. Then they came for the trade unionists, and I did not speak up because I was not a trade unionist. Then they came for the Catholics, and I was a Protestant and so I did not speak up. Then they came for me, and by that time there was no one left to speak for anyone.”

THANK YOU.

# **A N N E X U R E     3**

**(REFERS TO CHAPTER II, PAGE 50)**

## **BEGINNING OF A NEW WAR AGAINST A NATIONAL MINORITY**

The Prime Minister's Independence Day (August 15<sup>th</sup>, 1989) speech from the ramparts of the Red Fort will be remembered not only as the meanest of election speeches, but also for distortion of history. Celebration of a country's independence is an occasion for joy and festivity, of taking stock of the good work done by the government and the people. The Prime Minister is expected to enthuse his countrymen to involve themselves in the noble task of nation building and to show them the way.

He twisted history when he said that the primary motivation of the assassins of Mahatma Gandhi was to break up the country. Anyone with rudimentary sense of historical understanding knows that Godse and Apte killed the Mahatma for exactly the opposite reason. Since the latter had accepted the partition of the country despite his umpteen pronouncements like “vivisection of India over my dead body”! “I would rather have the cow cut in two than my motherland, India!”, etc. The assassins were equally upset over the Mahatma's insistence that India pay Rs. fifty crores to Pakistan under the agreement.

No Sikh, Sant Bhindranwale included, demanded the creation of Khalistan until “Bluestar” save for persons like Jiwan Singh Umrangal who has dubious credentials. Indira Gandhi's sole purpose was to rub the Sikh nose in the mud since they had been agitating for their rights, solemnly promised during the decades preceding independence, and, further, that they had the temerity to launch a concerted stir against Emergency she had imposed on the country to stay in power. Who then would be responsible for breaking up the country?

Among the many absurd and unfounded statements Rajiv Gandhi made in his address the two most sinister were that (a) the Opposition leaders were “traitors roaming freely, and even sitting in Parliament” and (b) “these Hatiaras (killers) have snatched away my mother from me”. In regard to the first outburst, the Opposition leaders in and outside the Parliament, the Press and indeed the people at large will continue to condemn the reprehensible accusation. Mr. Ram Jethmalani who had been especially singled out as a traitor and Khalistani needs no certification from the likes of Rajiv and his lackeys in the Congress party and the Government about his credentials. One who is deeply wedded to nationalism, Mr. Jethmalani has repeatedly stated in writing and verbally that Khalistan is not in the interest of Sikhs and that he would never be a party to its creation. How often has he said that the “Sikh was the most beautiful flower in the Indian Bouquet and that he must not waste its fragrance in a few districts. The whole of India for which he has sacrificed the most, belongs to the Sikhs as much as to any other community”. Only a mentally sick and satanic person can call him anti-national or secessionist. It is also clear that Rajiv's Independence Day speech was not an off the cuff outburst under emotional stress or else he and his spokesmen in the Parliament would not have repeated the same dastardly falsehood.

The second charge, which is even more diabolic, has far reaching consequences because Rajiv Gandhi again identified the entire Sikh people with Beam Singh and Satwant Singh who justifiably killed his mother. The genocide of the community after the assassination directed by him was its first manifestation. The unrelenting state repression in which over 50,000 Sikhs have been killed since Bluestar; thousands of their women and minor girls raped, killed and abducted; crores of rupees extorted by the police and para military personnel; and the tactics of torture; intimidation and humiliation is an on-going process. Special black laws enacted for the Punjab shut out any recourse to judicial intervention. The popular government remains superseded, which has practically snapped the citizens' link with the administration. The Punjab has already been turned into the worst form of fascist and police raj.

And yet, Rajiv Gandhi pathetically laments the snatching away of his mother. Has he forgotten the thousands whose mothers, fathers, brothers



and sisters were snatched away during the utterly uncalled for Operations “Bluestar” and “Woodrose”? But his purpose is clear. Play the Sikh card again, fool the nation and win elections. The unfortunate part of this fiendish design is that in order to poison the minds of the majority community many other Hindus are likely to be massacred by the Government agencies, as in the past, to put the blame on the Sikhs and carry out the genocide even more vigorously.

Strange are the ways of Rajiv. He appoints a fact-finding commission - the famous Thakkar Commission - in connection with his mother's assassination, and when Thakkar produces a voluminous report he hides it even going to the extent of amending the Constitution. Reason: the ‘needle of suspicion’ kept on pointing towards Dhawan. No action is taken against him and in time he is rehabilitated on the strength of a mere police committee report! Danger of prosecuting him was obvious; Dhawan might change the direction of the needle, which could seriously embarrass the Prime Minister!

The message, brother Indians, is loud and clear. The Sikh card is very much up Rajiv's sleeves. Unless there is widespread protest, thousands, perhaps hundreds of thousands will lose their lives and liberty. The Sikhs will then be driven to the wall and God knows what shape the things will take for which Rajiv and his Congress alone will be responsible.

# **A N N E X U R E    4**

**(REFERS TO CHAPTER IX, PAGE 190)**

## **SELF DETERMINATION-LEGALITY AND JUSTIFICATION LEGALITY**

United Nations Universal Declaration of Human Rights and, more specifically, the International Covenant on Civil and Political Rights, which was ratified by the Indian Government on March 27th, 1979, stipulate that all people have the right of self-determination. Relevant excerpts are reproduced below:

### **“THE STATES PARTIES TO THE PRESENT COVENANT:**

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations recognition of the inherent dignity and of equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”

“Agree upon the following articles:

#### **Article I**

1. All people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
2. The States Parties to the present Covenant . . . shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

## **Article 2**

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the right recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give affect to the rights recognized in the present Covenant.

## **Article 3**

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.”

Clearly, the above-mentioned Covenant leaves no doubt about peoples’ right of self-determination.

## **JUSTIFICATION**

The Sikh people living in Northern India (Punjab and adjoining Punjabi speaking areas) constitute a distinct nation in accordance with the universally accepted definition although proof of nation-hood is not a pre-requisite for self-determination. They are a group of people residing in a compact geographical area, have common historical, cultural, linguistic, social heritage, a common psychology, and belong to a sovereign, independent religion. Their population is substantially more than many countries around the World.

The British treated them as the third successor power after the decision to give independence to India, hi all the parleys held by the British, Sikh representation was at par with the Hindus and Muslims. It was for that reason that in March 1947, the British Government invited Earl Mountbattan, Jawahar Lal Nehru, Liaqat Ali Khan and Baldev Singh to finalize modalities for the transfer of power. Then Mountbatten represented the Hindus, Muslims and Sikhs respectively.

The fundamental premise that motivated Sikhs to cast their lot with India was in the belief that the leadership of Indian National Congress had a firm, irrevocable and sincere commitment to the creation of a State wherein justice - social and political - complete equality before law, welfare of minorities and the underprivileged and principles that govern a modern, secular and federal State shall be pursued with deep and abiding commitment.

What they have got in return is exactly the opposite. More of their numbers have been killed during Operations “Bluestar” and “Woodrose”, genocide after Indira Gandhi's assassination and through state sponsored killings ever since, than during the two hundred years of British rule in the entire sub continent comprising all inhabitants in peacetime, excluding the Partition holocaust. Their religious places have been assaulted and destroyed in a manner, which has no parallel in history. There is no crime, no sin, which has not been committed by the state against this minority community.

Today more military, para military and police are deployed in the tiny state of Punjab than during the British Raj in the undivided India. So much for **Ram Rajya**, democracy and secularism.

The central issue before the bar of India and the World public opinion is whether there has been persistent and gross abuse of civil rights of the Sikhs or not Even the brief narration of betrayal, discrimination and atrocities committed ever since Independence and, more particularly, in the past few years would convince any seeker of truth that the Indian state has reduced the Sikhs to the status of second class citizens and Punjab, where they have substantial majority, to a virtual colony. Since all their efforts to be treated as equals, to make the Central Government fulfill the promises

made to them for joining India and to live in a free society with dignity and honor having failed, they are fully justified to exercise their right of self-determination.

Let us briefly examine the issues in the historical and contemporary perspectives:

1. The Sikhs constituted 1.66 percent of India's population at the time of Independence in August 1947 and yet during the freedom struggle their share of sacrifices - killed, exiled or sentenced to life imprisonment - was 77.5 percent. If these sacrifices could be quantified per capita, the Sikhs' contribution is thousands of times more than the other Indian communities.

2. They threw in their lot with India on the basis of solemn commitments by the Indian National Congress that they would be given a special status in the North (implying Indian Punjab to be reorganized on the basis of language) and that “no constitution would be framed unless it was acceptable to the Sikhs.” (Resolution passed at the 1929 annual Congress Session at Lahore). Not only was no special status given but also even the truncated Punjabi speaking state, which was finally demarcated after fifteen years of struggle, was not treated on a par with other states. Its capital, Chandigarh and large chunks of Punjabi-speaking areas were kept out and, unlike other states, control over its river waters (the only worthwhile natural resource) and hydel projects was usurped by the Centre in utter disregard of the national and international riparian laws. In regard to the constitution, the Sikh representatives refused to sign it since it was heavily weighted against their socio-economic, religious and political interests. Consequently, the Sikhs resorted to a series of peaceful agitations for obtaining their rights. By the beginning of 1984 (the year of Operations “Bluestar” and “Woodrose”) nearly 250,000 had courted arrest - over five times the number arrested during the Quit India Movement

3. Within a year (1948) of partition the Sikhs were branded a criminal tribe. In 1984 the government incited the Army to suppress them by

declaring the Sikhs as “dangerous people pledged to commit murder, arson and acts of terrorism”! (Baat Cheet July 1984).

4. In order to break their morale, Indira Gandhi decided to teach the Sikhs a lesson. She employed the top intelligence agencies, RAW and the newly created supra Third Agency, for aiding the induction of arms into the Golden Temple Complex. Her purpose: To demonstrate to the rest of India and the World that there was no alternative to a full-fledged military invasion. She was not satisfied with just reducing the Akal Takht and other historic buildings and institutions in the Complex but attacked or besieged all the major Sikh religious places in the Punjab. The mopping up operation “Woodrose” was a yearlong nightmare for the Sikhs; in particular for those living in the countryside. Extrajudicial killings, molestation of women and minors, torture, kidnapping, extortion and intimidation were the order of the day. Thousands of young Sikhs were either killed, lodged in unlawful custody or simply disappeared.

5. The planned pogrom after Indira Gandhi's assassination organized by the Congress (I) under the directions of the newly appointed prime minister, Rajiv Gandhi, left no doubt as to the fate of the Sikhs in India. Hitler's genocide was qualitatively different. Whilst Hitler used his government apparatus to exterminate the Jews, Gandhi, in addition, incited the majority community to do in the Sikhs. It is note-worthy that no condolence resolution was passed in the Parliament against these monstrous tragedies. In fact any one who condemned these was branded a traitor. Case in point: NTR Rama Rao, Chief Minister of Andhara Pradesh, was sued in the High Court by Congress (I) as a traitor since he had condemned Operation “Bluestar”. (This is a part of judicial record).

6. When he was satisfied that the Sikhs were sufficiently demoralized even to voice their grievances, Rajiv secretly concluded an accord with the then Akali Dal Chief, Sant Harchand Singh Longowal. But as is his want, he did not implement any of the substantive clauses unless they were against the Sikhs (Punjab) interest, e.g., construction of Sutlej-Yamuna Canal to illegally divert Punjab river waters to Haryana. When it came to the transfer of Chandigarh to Punjab, he backed out at the

last moment. It was to be handed over to Punjab on the 1986 Republic Day, but at midnight 25<sup>th</sup> – 26<sup>th</sup> January he ordered maintenance of the status quo ante.

7. Subsequently, the Barnala government was dismissed with the sole objective of winning elections in Haryana. In May 1987 President's rule was clamped on Punjab. It is being extended through a series of constitutional amendments for a record period.

8. A number of draconian laws, unheard of in any civilized country, have been legislated. Through 59<sup>th</sup> Constitutional amendment Punjab was singled out, to be placed under Emergency, which, in the Indian tradition, can deprive any person of his life and liberty without judicial sanction. In Punjab, Police is not accountable to civil authority. Its personnel can kill, rape and commit other felonies with impunity.

9. The mounting World opinion against this transparent denial of democracy to a section of the Indian Society made the Rajiv government include Punjab in the November 1989 Parliamentary Poll. His Man Friday in Punjab, Governor S.S. Ray had assured Gandhi that the Congress would romp home with at least seven out of thirteen seats. Money and state power were extensively used to achieve that aim. That the strategy misfired and Congress won only two seats is another matter.

10. The newly installed Janata Dal government had given a ray of hope that the Punjab will once again be brought into the political process. That hope was short lived. It was not included in the February 1990 assembly elections. It was expected that notwithstanding this discrimination the government would certainly not postpone it beyond May 10<sup>th</sup>, when the President's rule would have run its course.

Unbelievably the government decided to extend the President's rule by another six months and the exercise to amend the Constitution was conducted in a most shamefaced manner. It is quite the worst anti democratic and anti Sikh act of the new government. The specious argument for not holding elections in the Punjab was that a free and fair

poll cannot be ensured. A blatant lie! Parliamentary elections in Punjab were the most peaceful compared to any other state in the country. How then can one swallow the mischievous propaganda that the assembly elections will be violent! The real reason indeed was that the allies of the Janata Dal, vis., Bharatya Janata and Communists Parties would have again drawn a blank. The Congress (I) too would have met a similar fate. Besides, none of them want a particular party that captured maximum seats in November '89, to form a government in the state. That the already maimed democracy gets further drubbing is of no concern to these so-called national level political parties.

The new government's decision to keep Punjab out of the Assembly elections was an unabashed betrayal and blatant discrimination. Nor has this government taken any positive steps to dismantle the repressive state machinery. If anything, uniformed brutalities have increased over the past two months.

Recently the National Front Government decided to allow Amnesty International into Punjab and Kashmir, which was banned for the past several years. Rajiv Gandhi's reaction in this connection is worth recording.

He accused the government for succumbing to U.S. pressure. He threatened to prevent Amnesty International from entering these states. He openly incited the Youth Congress (I) workers to stage **dharnas** (sit in protests) in front of the airport and on the roads and even volunteered to join the agitations personally.

One would ordinarily dismiss this kind of outburst against the most respected Human Rights Organization with years of impeccable record of impartiality and objectivity had it not been for the fact that the instigator was the prime minister of India until November last and responsible for placing India out of bounds to such International organizations during his five year rule, clearly to hide his government's black deeds. That he is the President of the largest political party in the country and leader of the Opposition in the Parliament makes his stand all the more reprehensible. Furthermore, the occasion was the inaugural session of the two day (2<sup>nd</sup>-3<sup>rd</sup>



July '90) Youth Congress (I) Conference and that there was no protest from the vast gathering of the young and the old and that it has practically gone un-noticed is a telling commentary on the kind of political system and the anesthetized collective conscience of the nation in regard to sufferings of minorities.

Self-determination by the Sikhs was adopted as the political goal by Shiromani Akali Dal adopted self-determination of the Sikhs as the political goal after merger of Badal and Longowal factions, the largest political party in the Punjab. Since the Government of India has not so far adopted legislative measures to give effect to the rights vide Article 2 of the Covenant the Sikhs are fully justified in approaching the United Nations Organization to hold plebiscite under its aegis.

One is often asked if other communities in Punjab will be included in the plebiscite. The answer is simple "NO". Far from being persecuted Hindus living in Punjab are very largely responsible for creating the problem; first by denying their mother tongue and then disassociating themselves from any peaceful struggle the Sikhs have periodically launched to secure Punjab's rights.



**A glimpse of unending barbarities against the Sikhs**

# **A N N E X U R E     5**

**(REFERS TO CHAPTER IV, PAGE 194)**

## **DEPLOYMENT OF ARMY IN PUNJAB**

The government has finally decided to use the ultimate weapon in Punjab with the undeclared aim of putting down militancy, which amounts to introducing martial law from the back door. Politically and administratively, it is tantamount to admitting policy failure, a policy pursued by various governments since the beginning of 1984. It is difficult to take the Prime Minister at his word that the deployment is a routine exercise. Surprisingly the contradiction came from the lesser functionaries on December 15<sup>th</sup>, 1990, the day after the Prime Minister's visit to Chandigarh.

This time of the year practically every inch of agricultural land in the state is under freshly sown rabi crop. Army exercises involve a great deal of movement by all types of mechanical vehicles causing extensive damage. Therefore, except during hostilities large-scale exercises are restricted to the post-harvesting period. The ground reality is that no exercises are being conducted and that the Army is functioning in typical internal security role. To the extent that the civil authorities have not requisitioned army support, it is operating unlawfully. Furthermore, it has already started putting up Naka Band! (road blocks) and house searches albeit at somewhat low key at present. But no one has any doubt about the shape of things to come. Small wonder, therefore, that all the Sikh political parties and human rights organizations have condemned this deployment.

The militants have gone a step further. They have called it the second war Delhi Darbar has launched against the Sikhs - the first being Operations “Bluestar” and “Woodrose” in 1984. They have disdainfully welcomed it. One may call it bravado or self-confidence. But there is a telling message, which should be taken note of. It calls in the Sikh tradition of never bowing to repression and injustice reminiscent of the days of the tyrannical reign of

the Mughal governor of Lahore Mir Mannu. The Sikhs had then coined the phrase: We multiply ourselves as he cuts us down like the soa crop.

It highlights that despite the record period of President's rule, the specially enacted draconian laws for the Punjab, employment of over three hundred para military companies, 60,000 strong Punjab police, depredations of vigilante groups and ever escalating killings the government has completely failed to subdue militancy. The military option is the last resort. No modern, civilized country has used its armed forces in such unabashed manner against its own people. Its consequences have tremendous long-term adverse affects.

Whilst destruction of life and liberty of your own countrymen can be enormous, its psychological effects are equally bad. Resentment and bitterness supplant patriotism and good will resulting in alienation, which may well turn into civil disobedience and more bloodshed.

The Army too suffers in its preparedness for keeping itself geared for the primary role of defending the country against foreign aggression. It may be pertinent to reproduce an extract from my article on "Implications of Employment of Army in Support of National Security Guard," written last July:

"When ever an Army is used in its secondary role of aid to civil authority for prolonged periods, its operational efficiency is impaired in proportion to the duration of such mission and the brutalities it commits on the civilians. It drastically upsets psychological orientation of the soldiers. An excellent example is the Pakistan Army in Bangladesh. Nearly one lac surrendered in a space of 10 days without putting up a worthwhile fight. We also have the most humiliating experience of the rout of the Indian Army in 1962. Besides thoroughly cavalier political direction a major factor was the employment of troops in construction of housing colonies (as at Ambala) and in internal security duties (eg. Naga Land) which had deleterious affect on their morale and battle worthiness."

“World public opinion, already incensed at the tremendous human rights abuses against the minorities in India, will be further convinced of the on going state repression. Government's decision to allow Amnesty International to visit Punjab and the stiff opposition, particularly from Congress (I), BJP and the Communist parties is proof enough that there is something to hide and that the past black deeds cannot stand exposure to the human and civil liberties organizations with impeccable track record of impartiality and objectivity.”

Is it not a matter of shame that the tiny state of Punjab, covering barely two percent of India's land mass, has the dubious honor of hosting more troops, paramilitary and police than ever maintained by the foreign rulers, Mughals and British, during peace time? And, further, more Sikhs have been killed in free India than during some two hundred years of **Raj** comprising all communities.

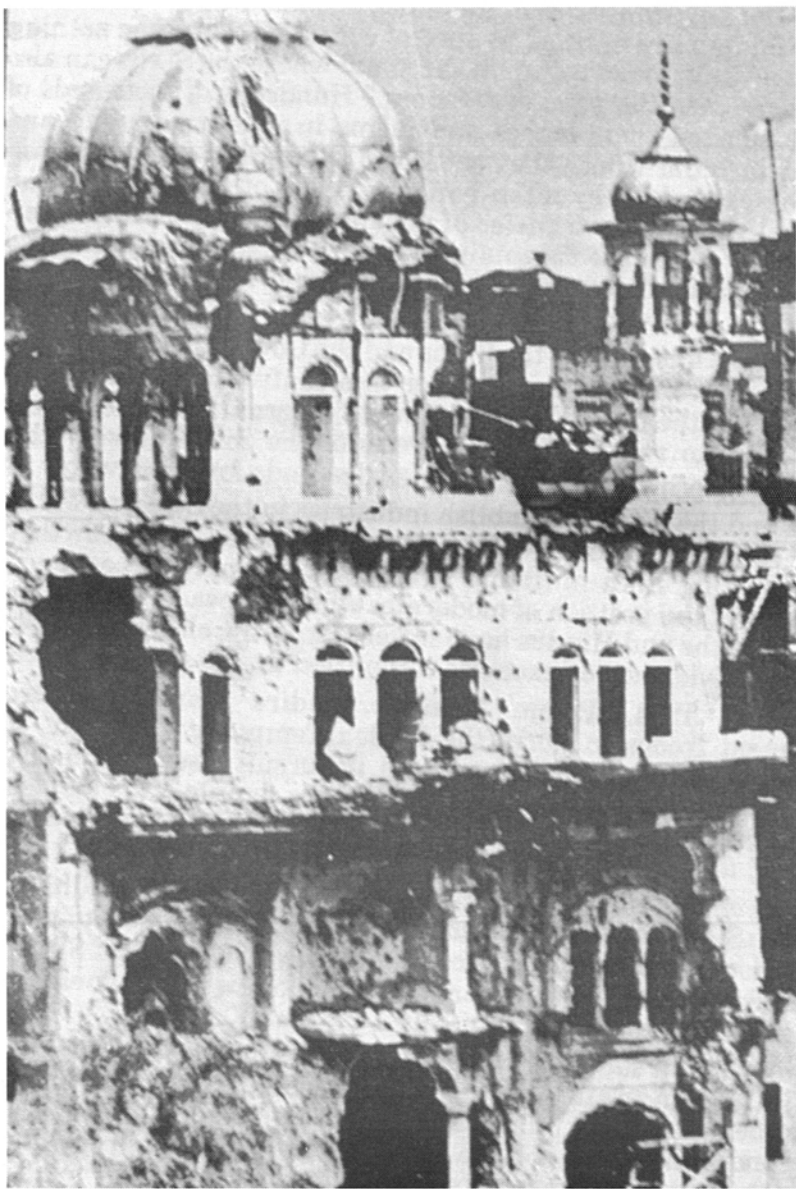
So long as the Indian State continues to persist in its erroneous policy of treating Punjab problem as one of law and order there can be no peace. It is unfortunate that while on the one hand Mr. Chander Shekhar has repeatedly declared that he is prepared to have a dialogue with any body (meaning the Sikh militants) and consider the Sikhs' right of self-determination (the political goal of the Shiromani Akali Dal) to the extent of amending the Constitution, he has on the other hand deployed the Army in the State. The situation demands plain talk on equal basis, without any consideration for “speaking from position of strength” and “one-upmanship”.

It is to be hoped that the new Governor of Punjab, General O.P. Malhotra, (he has since resigned because the center extended President's rule against his advice) a man of great charm and tact, with the background of a distinguished soldier, unaffected by the virus of communalism, will be allowed to play a positive role. In the first and last meeting I had with him, I advised him to follow the example of Lord Mountbatten and not S.S. Ray.

“Sincerity, said Lord Krishna, surmounts all obstacles. Will every one concerned live up to his simple but all important principle governing human interaction?”



**Akal Takht - the throne of timeless before operation Blue Star**



Akal Takht - after the destruction by the Indian Army

# ANNEXURE 6

(REFERS TO CHAPTER IX, PAGE 194)

## **MURDER OF DEMOCRACY - BUTCHERY OF SIKHS**

Notwithstanding my disinclination with regard to the Sikhs joining the electoral fray at this juncture for reasons which I have given in various articles over the past couple of years, I am impelled to analyze the consequences of the “on now, off again” drama staged by the Indian Government.

By extending President's rule in the Punjab for a further period of six months on March 11<sup>th</sup>, '91, the Parliament has in one stroke murdered the already mauled democracy and given license to the security (in fact, repressive) forces to kill and terrorize the Sikhs. The record period of eight years of this unprecedented autocratic rule has been an utter failure in every department - moral, political, economic and administrative. In the bargain, the constitution has been perverted through repeated amendments, nearly 80 times so far, averaging two per annum. Compared to any other state or subject, the greatest numbers of constitutional amendments pertain to Punjab to deny the Sikhs justice and equality through imposition of central rule, enactment of black laws and singling it out for emergency.

Roots of the current spell of four years of continuous President's rule lie embedded in the undemocratic dismissal of the Barnala Ministry, not because it could not contain militancy, but for as petty a reason as to win assembly elections in the neighboring state by playing the now familiar “Sikh card”. Salient features of the prolonged Central rule deserve to be placed before the bar of the public opinion lest the state propaganda further vitiates the atmosphere to suppress reality and truth.

It is no longer a particular party that pursues a violent anti Sikh policy. The voting pattern in all the parliamentary debates have proved beyond doubt that where the Sikhs are concerned all the so-called national and secular parties have a common aim: “Crush them and keep them out of political

process to deny them participation in the governance of their homeland.” The Congress has been pursuing this policy ever since Independence; first through betrayal by not honoring the solemn commitments made to them during the freedom struggle, later by discrimination in such matters as the formation of a Punjabi speaking state and diverting Punjab river waters to non-riparian states and, finally, by adding a violent dimension through all out military offensive against them and their shrines followed by engineered genocide after Indira Gandhi's assassination in 1984. Ironically, the successor governments of Janata Dal and Janata Dal (S) along with their backers too have followed the same genocidal policies. Together, these make up all national political parties.

Anti Sikh policy by the Indian state and indirectly the political parties and parliamentarians manifests itself periodically whenever a bill to amend the constitution for extending President's rule in Punjab is introduced in the Parliament. All but four members voted for the amendment in each of the two Houses during the October '90 and March '91 debate.

The message is loud and clear; “You Sikhs will continue to be singled out and deprived of democratic, human and civil rights. The Indian State will crush you with all its might; no matter how many innocent Sikhs are exterminated in the process, tortured with such cruelty that if they survive the ordeal they will remain crippled for life, their women will continue to be dishonored, the draconian laws especially enacted will ensure that they are incarcerated for years without judicial trial and that they will be denied fundamental freedoms like worship, expression, free association et-al.”

In dealing with the Sikhs there are no holds barred. Besides all hues of para military - BSF, CRP, Rashtriya Rifles, commandos, ITBP, etc. - totaling six-hundred and forty-six companies in June, 1991. PAP, State police, and major segment of the Army have been deployed in the Punjab comprising less than two percent of India's land mass. Together these forces add up to double the number maintained by the alien Mughal and British rulers during peacetime in whole of the sub continent!

The Army operates independently as well as in conjunction with other security forces above mentioned. They all commit brutalities with impunity



unheard of in any civilized country. Although the Army has not been deployed under a declared martial law or in aid to civil authority it is operating as in an occupied territory. The two recent examples are worth quoting:

(a) Killing of six innocent Sikh farmers at village Nathu Ke Burj some 25 Kms from the Indo-Pak border in a purely Army ambush.

(b) Brigadier R. P. Sinh warning the village elders in Tehsil Ajnala in these words: "If there is any militant violence in your villages, all male members will be killed and that your women will be taken to Army camps to breed a new race."

The threat by the Army officer and the killing of farmers further demolishes the oft repeated government assertion that the Army was deployed for carrying out training exercises and to prevent infiltration from across the Indo-Pak border. Besides numerous other overt and covert actions, it is a glaring proof of employment of Army in the Punjab in the role of (undeclared) martial law. Its consequences are far reaching and deserving of brief analysis:

- In no democratic country has Army been so blatantly employed in crushing a minority community during peacetime as in India. Armies are primarily meant for safe guarding their countries against foreign aggression and not for acting as a supra police force.
- Frequent employment of Army in internal security duties or in the role of martial law adversely affects its operational worthiness, undermines citizen-soldier relationship resulting in hatred for the Army and emboldens officers and men to behave in an unbecoming manner like the brigadier in question.
- In time of war the Army is deprived of sympathy and support of the people, a major battle-winning factor. If the population is hostile the Army's operational capability is seriously undermined. Case in point: Pakistan Army deployed in East Pakistan during

1971 Indo-Pak War. Conversely, the civilian population of Punjab created a virtual safe base for the Indian Army and actively aided it in its operations during the 1965 and 1971 hostilities.

- Armed forces are the ultimate ‘weapon’ with a government. Its failure to achieve the task has grave repercussion on its morale. On the other hand, if it does succeed in suppressing the people it will be at best a temporary measure and the latter will rebel whenever an opportunity arises.

Since the deployment of Army in Punjab over seven months ago, the number of Sikhs killed extrajudiciously has doubled. If this carnage goes on hardly any Sikh male youth will be left. The government can then ‘breed a new race’ without even taking the Sikh women to the military camps! And the Indian State will have surpassed the Nazi regime . . . In his anti-Jewish drive Hitler did not go as far as to breed a new race through co-habitation of his military personnel with Jewish women.

In this scenario, is there any other option for the Sikhs but to opt out of the partnership they entered into with Bharat in 1947? The latter has violated every term and condition of that partnership which consequently stands dissolved. Let it be given a decent burial and re-establish Indo-Sikh relationship as sovereign and equal partners. Neither constitution nor borders are sacrosanct. The sanctity lies in the preservation of human life and liberty, upholding dignity and honor of the citizen and in pursuit of happiness. The Indian state has grievously failed in its primary duty in each of these areas insofar as the Sikhs are concerned.

# ANNEXURE 7

(REFERS TO CHAPTER X, PAGE 194)

## VISION OF INDIA - 1999 A.D. - FOCUS ON PUNJAB

Crystal gazing is a good pastime. It helps in projecting oneself in time and space to visualize the shape of things in the future. Clearly it is one's perception of the past and contemporary situation and a deliberate appreciation based on an analysis of the numerous factors and issues, national as well as international. In this limited study the aim is to reach out to the end of the twentieth century and see what India would be like with special reference to Punjab.

**Background:** The vexed Punjab problem has its roots in the partition and independence of India, unfulfilled promises, discrimination and suppression of a religious minority. The bruised Sikh psyche is the result of incompetent leadership both at the national and the state levels, the rise of militancy consequent upon the uncalled for operation “Bluestar” and genocidal policies pursued since prime minister Indira Gandhi's assassination. Other contributory factors are the government's bullet for bullet policy, extrajudicial killings at a massive scale and extermination of innocent and suspected people.

The situation today is that the tiny state of Punjab has the dubious honor of hosting more troops, paramilitary and police than ever maintained by the British rulers during the peace time in the entire subcontinent. The daily killings have reached an all time high of over 20 per day! An estimated 90,000 Sikhs have been deprived of life and many more their liberty since “Bluestar” in June 1984. Some international assessments are even higher.

**Prevailing Scenario:** In the ding-dong battle between the security forces and militants the suffering of the masses, particularly of those living in the villages, is acute; many families have been wiped out, numerous bread winners have died or incarcerated for indefinite periods. Molestation of women and even minor girls, inhuman torture and humiliation of the young

and the old are the order of the day. Extortion, both by security personnel and social elements who have penetrated most of the militant organizations, as well as independent groups formed by the latter have become a routine matter. If there is hell on earth it is in the frontier districts of Punjab.

\* Footnote: The year 1999 is the 300th birth anniversary of the Khalsa.

In the international arena, liberalism and democracy have superseded the communist and autocratic dictatorships. U.S.S.R. is a case in point. Notwithstanding, the constitutional provision of a great degree of sovereignty, in practice the Republics were denied any say in framing of political or economic policies. There is now a quantum jump from the centre's claustrophobic grip to the emergence of the western type of democracy and decentralization. There is also a built in mechanism for any republic to secede. Consequently, a truly federal system has emerged in an unbelievably short period. The August, 1991 failed coup has dealt a death blow to Communism, the three Baltic states have become independent and the remainder 12 republics are likely to join together in a truly confederal and democratic union.

The post Second World War Eastern European countries have opted for democracy. The two Germanys have united. No crystal gazer could have thought it possible only a year ago. And the West European countries, already a way ahead in establishing common defense and market, will soon have their Eastern neighbors join them in the noble pursuit of freedom, happiness and welfare of their peoples.

On the other hand, the Indian state first evolved a constitution that negated pre-independence evolutionary process promising a federal structure to a virtual unitary one. And over the years the centre has been usurping more and more of states' powers reducing them to helpless, impotent units whose governments, in the words of Indira Gandhi, "could be dismissed with the twirl of my fingers" There are any number of examples of this happening in the past. As of now, four states are under the President's rule, with Punjab having the dubious honor of a record holder. The sad part is that every time a bill is introduced in the Parliament for extension of the

President's rule in Punjab, for enactment of draconian laws or even singling it out for emergency, all the parties and parliamentarians support it making mockery of democracy and betraying their anti Sikh mindset.

**Sikhs let down:** A most important factor is that the Sikhs are a case apart, deserving special treatment. Besides Hindus and Muslims, they were the third successor power and had opted to join India, resulting in forty percent of their population being uprooted from fertile lands of West Punjab, on the basis of some solemn commitments by the Congress and Hindu leaders. The very first government went back on these promises. All the successive governments have not only followed suit but also, in fact, pursued an anti Sikh policy with ever escalating state repression.

Another unfortunate trend has been that along with democracy the secular character of the constitution has been grossly eroded. Of late, the Bharatiya Janata Party and its front organizations have declared an all out war on secularism and demands the creation of Hindu Rashtra with cockiness that comes only from its strength in the Parliament and some states. More important, it has the backing of large sections of Hindus, particularly in the Northern and Central states - the cow belt.

Yet another dimension recently added to the multi-faceted state repression is curtailing of freedom to worship, free association and expression enshrined in the constitution. Among other leaders of Human Rights organizations and Movement Against State Repression, this writer was arrested and not allowed to pay obeisance at the historic Gurdwara at Muktsar on November 2<sup>nd</sup>, '90 on the birth anniversary of Guru Nanak Dev. No explanation was furnished for the unlawful detention. The meeting of the Akali factions and other leaders, scheduled to be held at Anandpur Sahib on November 25<sup>th</sup>, '90 was banned. Many leaders from all over the Punjab and Chandigarh were arrested on grounds of preventive detention. S. Simranjit Singh Mann, president of the Shiromani Akali Dal was singled out and detained under TADA. There is a familiar method successive Central Governments have been using to remove popular Sikh leaders from active participation in the Sikh affairs and preventing them from giving the community lead and direction. Contrast this with BJP's activities, who have been injecting communal virus through such acts as

**Rath Yatra** and demolition of Babri Masjid, spreading hatred, terror and violence reminiscent of the 1947 Partition.

**Alienation:** These developments have, understandably, made a deep impression on the thinking of the minorities who are no longer under any illusion that their civil, political and human rights will ever be protected. The Sikhs, who have been struggling for their rights ever since Independence, are even more determined to achieve their aim. They are convinced that they have been gradually made slaves in their own land; far worse than what they had experienced during the British rule. They have been indefinitely kept out of the democratic process and not allowed to have any say in the governance of their affairs and their state.

To crush them physically the government has lately added a new dimension to the state repression by deploying major part of the Indian Army in support of over three hundred para military companies and 60,000 strong Punjab Police. It is tantamount to undeclared martial law. What is more, these security personnel can kill and commit all manner of brutalities with impunity.

Small wonder, therefore, that militants have set themselves the goal of an independent Sikh homeland (Khalistan). The Indian state is totally responsible for bringing about this situation. When there is gross miscarriage of justice (mark, none of the perpetrators of the carnage during Operation “Bluestar” and “Woodrose” and post-Indira Gandhi assassination have been punished), when the security forces are not accountable to any higher civil authority, when judiciary is sidelined and made subservient to the executive shutting out of the only avenue for redressal, then the oppressed people are left with no option but to change the system -peacefully if possible, through armed struggle if inevitable.

The over ground Sikh leadership has sought a peaceful solution through the exercise of right of self-determination under the International Covenant on Civil and Political Rights to which India is a signatory. The same Covenant enjoins upon the parties thereto to enact enabling legislation. Since the Indian Government has not done so the demand is for a referendum under the aegis of the United Nations. It has attracted heavy flak from the major

national parties, Congress (I), BJP and the Communists. Consequently, the dependent minority government is unlikely to push through necessary legislation notwithstanding the Prime Minister's oft-repeated assertion that he is prepared to consider this proposal and even amend the Constitution.

**The Future:** It is evident that the state is in no mood to treat the minorities as equal partners with the majority community. If past record is any guide there is little likelihood of it willingly acceding to the militants' demand or even allowing the exercise of right to self-determination. It is equally evident that the Sikh struggle at both levels - militants and democratic - will go on.

The International community has become fully aware of the pervasive human rights violations against the Sikhs. In fact, a bill had been sponsored by as many as fifteen Congressmen in the US House of representatives to enable the Sikhs the right of self-determination under the UN auspices. The merger experiment (Sikhs opting for India) at the time of Partition having failed, the only sensible course open is peaceful parting of the ways. To salvage the situation the following pre-requisites can serve as a basis for permanent solution:

- Grant of full sovereign status to the Punjab with its boundaries conforming to the borders between the erstwhile Punjabi and Hindi speaking areas demarcated under the Regional formula.
- The sovereign and independent Punjab might then confederate with India under a mandatory agreement for a period of 10 years. Its main features: common market and interdependent economy, open border and free travel.
- Sharing of assets in proportion to the gross national product contribution of the present Punjab and the Punjabi speaking areas to be incorporated therein.
- Central government servants and Army personnel from the Punjab along with weapons and equipment to be transferred to

Punjab somewhat on the pattern of division between India and Pakistan in 1947.

Presuming that the above blue print is acceptable to both parties, its shape of things is obvious. In the event it does not find favor with rulers of India, the struggle at various levels will go on, many more lives would be lost in vain and before the turn of the Century not only will Punjab have seceded but the whole country will be Balkanized.

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## ABOUT THE AUTHOR

**B**orn on September 17, 1927 in a prominent agricultural family of village Balarwal, District Gurdaspur (Punjab). Selected for permanent regular commission, he attended Indian Military Academy from August 1946 to December 1947. Joined the Regiment of Artillery. Graduated from Defense Services Staff College in 1956, youngest officer ever to have done so. Took premature retirement as Lt. Col. in 1972 and successfully promoted a number of manufacturing and trading concerns. He has been actively associated with a number of cultural, social and religious institutions.



*Lt. Col. Partap Singh*

The traumatic experience of “Bluestar” and the Sikh genocide after Prime Minister Indira Gandhi’s assassination motivated him to struggle for the freedom of the Sikhs from the clutches of tyrannical India successively through Ex-Defense Personnel Forums; as President of the Bharat Mukti Morcha, Punjab; Co-convener of the Movement Against State Repression; member of the Working Committee of Akali Dal (Mann) from which he resigned in March 1991. Launched the Khalsa Raj Party and made Declaration of Independence of the Sikh Homeland on May 15, 1991.

Besides a large number of articles and brochures, he has published 2 booklets - The Sikh Case (1988) and The Sikh Drishtikone in Punjabi (1989).